of New York; Mr. MORTON, of Kentucky; Mr. NEUBERGER, of Oregon; Mr. SMATHERS, of Florida; Mr. YARBOROUGH, of Texas; and myself. In that letter we urged the President to put the lower downpayment schedule into effect immediately. I ask unanimous consent that the letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR MR. PRESIDENT: We respectfully call to your attention the importance of putting into effect without delay the lower downpayment provisions of the new housing law as a vital stimulus to a key American industry and an indispensable aid to millions of our citizens wishing to purchase homes.

The home building industry is one of the Nation's largest, both in terms of annual dollar volume and in the number of persons it employs. Its effects on other industries such as lumbering and manufacturing and on the whole economy of the country are vast. Yet this industry may now be permitted to sink deeper and deeper into a recession and perhaps a depression.

The alarm and consternation among builders seems to be fully warranted by the facts.

Last year home construction fell off more than 20 percent. This year so far it is off an additional 16 percent. The present figures indicate that home building is now proceeding at an annual rate of only 970,000 units. This is the first time in over 8 years that the production level fell below the million mark, and at the very time when home building should be expanded, not cut back, to meet the need.

When the Housing Act of 1957 was pending in the Congress, all the testimony and debate led to the conclusion that the level of home building activity would continue to decline even beyond the current low level unless some measure of relief was promptly granted; and that almost any action the Government took would require a year to have any practical effect, because the supply of housing can't be turned on and off like a faucet.

An adequate supply of new housing is a vital necessity to meet the needs of our growing population. But the restrictive pressures on the home building industry, which the new housing law was intended to relieve, raises again the spectre of a housing shortage which so unsettled the Nation a decade ago. A Washington newspaper reported last week, as a straw in the wind, official Government findings that fewer apartments are vacant now than at any time since the vacancy-rate studies were started in 1950.

We want to impress upon you our sincere belief of the need to put in the lower downpayments, not just as a measure to stimulate a vital but depressed segment of our economy, but as a means of affording home ownership to many thousands of American families.

The plight of the veteran is a vital element in this matter. The VA housing program is for practical purposes nonexistent, certainly impotent, from the point of view of a veteran who wants to buy a house. The law says he can get a loan at 4½ percent interest, but it is very difficult to obtain one. His only recourse is to buy under FHA and one major intent of the new housing law was to bring the FHA schedule of downpayments more in line with VA schedules to fill this need, an intent which now must be implemented by executive action to be made effective.

The lower downpayment schedule contemplated by Congress and written into the Housing Act of 1957 was also intended to make home buying easier for families in moderate circumstances who have not accumulated large amounts of cash. Under the new law, the cash downpayment on a $10,000 home would be $300 as against the $700 required now; on a $12,000 home, it would be $600 as against the $1,200 required now. Certainly, it is logical to pay proper attention to a family's earnings as a yardstick for home ownership, rather than savings alone.

To sum up, it is our belief that lowered downpayments on FHA-insured home building were contemplated by the Congress to revive the home-building industry, to help to prevent a more stringent new housing shortage, to prove of special benefit to veterans, and to make it more possible for families in moderate circumstances to enjoy the status of homeowners.

We sincerely believe that it was the expectation of Congress that the downpayment schedules of the Housing Act of 1957 would be put into effect as soon as possible, and we wish again, with all due respect, to urge that you undertake to put these provisions of the law into effect promptly.

Sincerely.

SENATE

MONDAY, AUGUST 5, 1957

(Legislative day of Monday, July 8, 1957)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rabbi Manfred M. Rechtschaffen, spiritual leader, Congregation Degel Israel, Lancaster, Pa., offered the following prayer:

Creator of the universe, Thou who hast arranged the stars in their course in the heavens according to Thy will, Thou guidest the destiny of every creature.

Help us to be grateful for Thy many bounties that have made America great.

Help us to be able to acknowledge Thy presence in international affairs, local problems, and personal matters.

The Senators who assemble here are fully aware that the attention of the entire globe is focused on this Chamber.

Decisions made here resound from the mountains to the prairies. Friend and foe examine every word.

Support the hands of these men, so they may reach far-reaching conclusions.

Not easy is the task Thou hast appointed to them. Illuminate the path of these leaders of a nation. Assist the majority and minority of every discussion unanimously to seek Thy will.

Cause Thy wisdom to reign supremely in all their deliberations. Grant peace, happiness, blessing, wisdom, grace, kindness, and mercy to those who share and bear the hallowed trust of legislating.

Reward them with confidence in the faith placed in their keen judgment.

May their resolves inspired by Thee meet with the sincere approbation of a loyal, enlightened, and grateful constituency.

America has suffered the loss of a statesman. Walter Franklin George, of Georgia, is gone. He served his State and this Nation loyally. He was a southern gentleman. He had the respect and confidence of his colleagues in the Senate. His words and deeds inspired the confidence of nations. "Is it constitutional and wise?" were his criteria for legislation. Party lines fell away before this great American.

Father, full of compassion, grant rest beneath the wings of Thy presence among the holy and pure to Walter Franklin George.

May the Lord be his possession, and may his repose be peace. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Friday, August 2, 1957, was approved, and its reading was dispensed with.

WALTER F. GEORGE

Mr. JOHNSON of Texas. Mr. President, I understand that the senior Senator from Georgia [Mr. RUSSELL], and the junior Senator from Georgia [Mr. TALMADGE] have a resolution which they wish to offer at this time. I yield for that purpose.

Mr. RUSSELL. Mr. President, for myself and my distinguished colleague [Mr. TALMADGE], I send to the desk a privileged resolution, and request its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Walter F. George, a Senator from the State of Georgia from November 22, 1922, until January 2, 1957, and a former President of the Senate pro tempore.

Resolved, That the Secretary communicate these resolutions to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, take a recess until 11 o'clock a. m. tomorrow.

The Senate, by unanimous consent, proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to announce that at the conclusion of the morning hour, there will be a call of the Executive Calendar.

At the conclusion of the Executive Calendar, there will be a call of the bills and other measures on the Legislative Calendar to which there is no objection.

At the conclusion of the call of the Legislative Calendar, the conference report on Senate bill 1314, to amend Public Law 480, will be called up.

After action is taken on the conference report, any Senators who may care

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to address themselves to the civil-rights bill will have an opportunity to do so.

It is not expected that there will be any yea-and-nay votes today on the civil-rights bill.

On tomorrow, the Senate will convene at 11 o'clock. The Senate will remain in session as late tomorrow evening as Senators may desire.

On Wednesday, the Senate will convene at 11 o'clock, and will remain in session late in the evening, in the hope that it will be possible to take final action on the civil-rights bill either Wednesday or Thursday.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, over the weekend, there has been considerable press discussion of the civil-rights bill in the form in which it is now before the Senate.

Unfortunately, a considerable part of the discussion has centered around the politics of the measure. And frequently when people are debating politics, there is a tendency for the merits to become obscured.

It is my belief that the bill in its present form represents an important advance in the field of civil rights. It is progress—progress that will be significant for the future of our country.

It would be unfortunate if important rights should be withheld from our people on the curious theory that no progress is better than some progress.

Mr. President, I believe there should be more discussion of the merits of the bill. I am sure there will be. I believe it will be established to the satisfaction of cooler heads that the bill is sound proposed legislation.

A member of my staff has prepared a memorandum discussing the substantive provisions of the civil-rights bill as it is now before us. I ask unanimous consent that the memorandum may be printed in the RECORD, as a part of my remarks.

I also ask unanimous consent to have printed in the RECORD, as a part of my remarks, editorials from the Washington Post and the Baltimore Sun and an article by David Lawrence, the distinguished columnist.

There being no objection, the memorandum, editorials, and article were ordered to be printed in the RECORD, as follows:

H. R. 6127, THE PROPOSED CIVIL-RIGHTS BILL

The civil-rights bill in the form presently before the Senate (with the changes made from the House-passed version) is a strong and significant, as well as enforceable, bill. Because of the changes, some have chosen to call it an emasculated and meaningless bill, and even a bill that would destroy our judicial system.

These political excesses do not serve the ends of obtaining at this time an advance in the field of civil-rights legislation. They must be answered. They can be answered by an honest and objective appraisal of what the bill before the Senate for passage actually does.

When the bill came from the House it had four parts. It provided for a Civil Rights Commission, a new Assistant Attorney General in charge of the Civil Rights Division, an injunctive-contempt provision to enforce section 1985 of title 42 of the United States Code, and injunctive-contempt enforcement techniques for the protection of the right to vote.

The Senate very properly eliminated part III of the bill. This provision of the bill may have had strength in the sense that strong language is considered strength; and in the sense that great force and power are considered strength. But the alleged strength was, in fact, a weakness in terms of an appropriate legislative approach to the protection of civil rights. When it was analyzed and understood, its weaknesses, its dangers, its more than questionable constitutionality, its clear provocation to the incitement of bitter resistance and even violence compelled reasonable men to remove it from the bill.

The other major change made by the Senate was the jury-trial amendment. This amendment has been accused, without basis, of two things. It is claimed that it destroys the voting-rights provisions of the bill. Because it establishes the right to trial by jury in all cases where Federal courts choose to proceed by criminal contempt to punish acts of willful disobedience to equity decrees, its critics charge that it destroys our judicial system. Neither claim is supported by the facts.

Under the provisions of the Senate amendment, even where willful disobedience or obstruction of a court order occurs, the Federal judge can elect whether to exercise his civil or his criminal contempt power, or both. When he seeks to secure compliance rather than punish violators there is no right to a jury trial. The civil-contempt power traditionally lodged in judges remains unimpaired by the Senate amendment.

When the purpose of the court is to enforce its orders protecting the right to vote, it can imprison, it can fine, it can award compensatory civil damages, all without a jury trial. Because registration and election days are deemed to have terminal dates, it has been argued that efforts to secure compliance will be frustrated after the time has passed for legal registration or the casting of a vote in an election. This is simply not true. Federal judges are not powerless to prevent State officials from using State laws to frustrate the lawful orders of Federal courts.

In election cases where time for compliance may be short, the judge can require the posting of substantial bonds, which automatically become forfeited if the court order is violated. In addition, where necessary, the judges can imprison violators under their civil powers until they receive compliance and obedience. If the facts warrant it, this could include retaining custody of an individual until after election day to insure that another's right to vote is fully protected.

In addition to all this, it should be pointed out that punitive power has not been removed by this amendment. American juries, whether North, South, East, or West, should not be presumed to be so insensitive to law and order as to be incapable of properly determining the simple question of whether or not an order of a court has been willfully violated. The power of punishment in criminal contempts is no different from the power of punishment in other criminal cases. Certainly no one will seriously advance the argument that our Constitution should be amended to eliminate the requirement of the right to jury trial in criminal cases at law.

It is totally unrealistic to assume that a Federal statute which permits the Attorney General to initiate an action to obtain a Federal court injunction or other order, fully enforceable by all of the civil contempt powers of the court, will be rendered utterly ineffective simply because in those rare cases where the judge may choose to add to these powers the power of punishment, he must grant to the accused the right to trial by jury.

Far from weakening the provisions of this civil-rights bill, the Senate jury trial amendment further strengthens and perfects the basic civil right to trial by jury in crminal cases. Because it confers this right, it is claimed that it destroys the judicial system. It would be just about as true to claim that the constitutional right to trial by jury now applicable to criminal cases at law destroys our judicial system.

None of the Federal statutes containing equity enforcement powers will in any way be weakened because of this amendment whch requires that in the rare cases where the court wishes to add to its civil contempt enforcement power criminal punishment for violations it will have to accord defendants a right to trial by jury. Enforcement of Federal court orders is almost universally secured by civil contempt penalties, which are just as effective, if not more so, than criminal punishments.

To summarize, the jury-trial amendment strengthens rather than weakens the bill. It adds new and important rights—the right to jury trial in all criminal cases, and the right to serve on Federal juries, without discriminations.

The bill now before the Senate can effectively accomplish these objectives:

1. Create a civil-rights Commission to study the problems of discrimination and make legislative recommendations.

2. Create a new Assistant Attorney General to head up a Civil Rights Division in the Department of Justice to handle the cases in the field of civil rights.

3. Repeal a reconstruction period force statute, which permits court orders to be enforced by troops.

4. Expand the jurisdiction of Federal courts to make more effective the efforts of individuals to secure remedial protections for their civil rights.

5. Effectively protect the right of all citizens to vote in Federal elections.

6. Guarantee to defendants in criminal contempt proceedings for violations occurring out of the presence of the court the basic right to trial by jury.

7. Secure without discrimination the right to serve on Federal juries.

These are important advancements in the field of civil rights. They are obtainable unless the passage of the bill is obstructed for political purposes by those who claim to be interested in advancing the protection of civil rights of American citizens.

[From the Washington Post of August 3, 1957]

THREE-FOURTHS OF A LOAF

It really was absurd for Senator KNOWLAND to talk as if the civil-rights bill were dead because it is not all that the President and other civil-rights supporters wanted. Mr. Eisenhower's distress over the jury-trial amendment is understandable, but we believe that he has much overstated its significance. No doubt some Republicans are disappointed that passage of the jury-trial amendment has deprived them of the spectacle of the Democratic Party tearing itself apart in the Senate. They are entitled to make whatever hay they can over the deficiencies of the measure that has emerged in the Senate. But Republicans in the House would be very foolish, from a political standpoint as well as out of genuine concern for the advancement of civil rights, to resist a compromise with the Senate bill.

Politics, it has often been said, is the art of the possible. Acceptance of the jury-trial amendment, even though it may have some less than desirable features, has made possible the passage through the Senate of a bill that can have very real practical and moral meaning in protecting the right to vote. The fact that voting rights are in a

separate category from the integration-segregation controversy can actually be a virtue so far as respect for and acceptance of the voting safeguards in parts of the South are concerned.

The House can reasonably ask to clarify some points in the bill and to narrow the scope of the jury-trial amendment so as to apply only to voting-right cases. But any talk of killing the bill ought to be ended here and now. Republicans would take upon themselves a terrible responsibility—and, we think, a monumental political liability as well—if they were to seek to bury the civil-rights bill on the curious pretext that some progress is worse than none.

[From the Baltimore Sun of August 3, 1957]

WARNING

We do not agree with the President that adoption of the jury-trial amendment to the civil-rights bill is bitterly disappointing. In fact, it is a real step forward. But when he expresses fear that this action will weaken our whole judicial system and particularly the prestige of the Federal judiciary, he utters a warning that all must take seriously. The fact is that the terms of the amendment are much broader than they need to be to accomplish their purpose, and that this unnecessary broadness may have unexpected and unwanted results. The amendment requires the use of juries not only for criminal contempt in voting-rights cases, but in all criminal contempt cases in Federal courts no matter what the substance.

In our view, resort to jury trials in the narrow field of criminal contempt having to do with denial of voting rights is not only justifiable but highly desirable. This is a very special and potentially explosive area of jurisdiction where the wisdom of an exception to the general and traditional practice in contempt cases has been debated carefully and at length. But it does not follow that the arguments which have force in this narrow field have equal force in other fields—say, labor cases and antitrust cases. The implications of resort to jury trial in criminal contempt cases generally have not been fully explored by means of hearings or otherwise. The amendment was so broadened not on the basis of merit but for the expedient purpose of raising votes.

Generally speaking, the evolution of the civil-rights bill in Congress has been from undue broadness toward a carefully limited application of its provisions to voting rights. The only broadening out that has taken place has been in the terms of this jury-trial amendment. If or when the Senate finally passes the whole bill, Senate-House conferees might well consider cutting back the terms of the jury-trial amendment to make it apply to voting-rights cases only. Should they not, the workings of this provision beyond that narrow field will have to be watched closely for signs of that weakening of the judicial authority which the President fears.

[From the New York Herald Tribune of August 5, 1957]

SENATE RIGHTS BILL VERSION FAVORED AS STEP FORWARD

(By David Lawrence)

WASHINGTON, August 4.—All the talk about the Senate's civil-rights bill being weak and as likely to be rejected by the House or possibly vetoed at the White House seems to have been largely the result of emotional pique or hasty judgment.

For if the House now accepted the measure—even without any changes—it would represent the biggest single victory in nearly a century for the proponents of a so-called right-to-vote bill.

It could, on the other hand, prove virtually the last chance to get such a bill into law. For opposition to the attempt to coerce the States in their handling of local problems is mounting everywhere. It is becoming apparent also to some of the labor union strategists that civil-rights legislation can become a two-edged sword and legally inhibit many of the previous practices of labor unions. It can, for instance, add momentum to the crusade in behalf of right-to-work laws so vigorously fought by the unions because it would break up their monopoly. For the right to keep a job without joining a union is as much entitled to the protection of the Constitution as is the right to vote.

There is one feature of the pending Senate bill, moreover, which transcends everything else in advantages to its sponsors. It is really worth more than a victory in the technical squabble over whether jury trials should or should not be granted in criminal contempt cases. It is to be found in the section of the bill which provides for the establishment of a national commission on civil rights with the power of pitiless publicity. If the cause of the proponents is what they say it is and, if by subterfuge citizens of any race who are really eligible to vote are being prevented from doing so on a large scale, the open hearings of the national commission over a period of only a couple years would build up such a public opinion as would quickly bring about a legislative remedy of some kind. The so-called liberals of the North have more to gain than lose by getting the House to approve a bill that the Senate will not filibuster against but will accept now.

The reported plan of House leaders to drop the measure at this session and try again next January is a piece of mistaken judgment which they some day will regret. For education on the trial-by-jury issue is increasing throughout the country, and the next bill may extend even further the scope of jury trials in criminal contempt cases.

There is no logical reason, for example, why juries should be limited merely to questions of fact in contempt cases when there are vital questions of law as well to be decided. Also, to argue, as some of the critics are doing, that the language of the Senate bill invades the antitrust field, is to concede that, in the highly complicated matters of economic strife, a businessman can be sent to jail without a trial by jury for a technical violation of an injunction.

ALLIANCE PREDICTED

Businessmen, when the issue is fully explained, will protest that they are citizens, too, and deserving of the benefits of the so-called civil-rights legislation. Business hitherto hasn't understood the issue, and if the debate can be extended through the next session of Congress, opponents of judge-made law may find a strong alliance of business and labor groups fighting them to insure jury trials in injunction cases.

Politically, the Republicans are attributing an exaggerated value to the civil rights issue. They are thinking only of Negro votes to be won over from the Democrats in the North, forgetting that the votes of most Negroes, like those of most everybody else, are influenced largely by economic issues. What goes into the pay envelope 52 times a year is likely to remain uppermost on election day rather than gratitude over some abstract issues related to the voting privilege itself.

There are many ramifications of the voting problem on the whole still untouched by the pending legislation. Actually each year about 20 million citizens of all races are believed to be deprived of the right to vote in America because they have not lived long enough in the precinct where they would be expected to register.

It might be persuasively argued that a citizen shouldn't be deprived of his right to vote just because he changes residence. Yet various States place this and other restrictions on voting. The job of the National Commission, if the pending bill becomes law, may interestingly enough be devoted to finding out not only why some people don't vote but why they don't even take the trouble to register.

The pending bill makes a start, and those who want to wait for the perfect law before tackling this far-reaching problem are only playing into the hands of those Members of Congress who prefer to kill all legislation on the subject.

INTEGRATED FEDERAL WATER PROGRAM FOR TEXAS

Mr. JOHNSON of Texas. Mr. President, on July 17, I addressed a memorandum jointly to the Chief, Army Corps of Engineers, and the Commissioner of the Bureau of Reclamation, in which I asked for collaboration between these two agencies down to the field level in formulating an integrated Federal water program for Texas. As a matter of information to Congress, I had the text of this memorandum inserted in the RECORD on July 24.

The program I envision must be so designed that Texas will receive maximum benefits from its water and the Federal Government will get maximum return on its water investment in Texas.

The State government of Texas will be requested to coordinate its efforts with those of the Corps of Engineers and the Bureau of Reclamation. Texas is, of course, totally sovereign over its water resources. State officials and Texas river authorities will determine how they can best line up their efforts with the work of the Engineers and the Bureau of Reclamation.

Mr. President, replies to my memorandum have now been received from Maj. Gen. E. C. Itschner, Chief of Engineers, and Mr. W. A. Dexheimer, Commissioner of the Bureau of Reclamation.

Both have pledged their full cooperation in the program that is needed to insure that Texas will not run out of water and that necessary flood protection will be provided.

Mr. Dexheimer writes me: "You may be assured that the Bureau of Reclamation will be glad to collaborate with the Corps of Engineers at all organizational levels and to coordinate its activities with the efforts of the State officials toward that end."

General Itschner says in his letter to me: "The Corps of Engineers is in full agreement with your conviction that water supply is the key to the economic future of Texas. We will be glad to collaborate in the development of a realistic and integrated water-control plan that embraces water supply, flood control and related water resources, uses and problems."

Mr. President, this development represents a major breakthrough toward solution of the No. 1 problem of Texas.

I ask unanimous consent that there be appended to my remarks in the RECORD the letters from Commissioner Dexheimer and General Itschner, along with a report from the engineers on the status of the civil-works program in Texas.

There being no objection, the letters and report were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D. C., July 25, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: A copy of your memorandum addressed jointly to General Itschner, Chief of Engineers, and to me was received via riding page on July 17.

We are fully aware of the water problem in Texas and can appreciate your desire for close collaboration of our two Federal agencies in establishing and carrying out a program of water conservation and flood protection. We are also pleased to note that the State government of Texas is being requested to coordinate its efforts with those of our agencies.

You may be assured that the Bureau of Reclamation will be glad to collaborate with the Corps of Engineers at all organizational levels and to coordinate its activities with the efforts of the State officials toward that end. The Reclamation field staff is being directed accordingly to initiate the necessary discussions and to collaborate in such manner that a coordinated mockup program might be submitted to you not later than April 30, 1958. That program will also include our thoughts on a basin-account system. We firmly believe that if the Texas water program you have outlined is to be achieved, it must encompass the basin-account principle. Regardless of what agency might be responsible for actual disposition of water from federally constructed reservoirs, that disposal must be in accord with the basin-account principle if your total objectives are to be gained.

Copies of the memorandum setting forth your objectives in the statewide water program are being made available to our field offices.

Sincerely yours,
W. A. DEXHEIMER,
Commissioner.

JULY 29, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: On July 17, 1957, Brigadier General Person of my staff met with you and the Commissioner of Reclamation to discuss collaboration between the Corps of Engineers and Bureau of Reclamation in development of a water plan for the State of Texas. The next day I received your memorandum setting forth in further detail your views on development of an integrated water plan, and inviting our comments.

In your memorandum you specifically request the following action:

(a) That the corps and Bureau, working together, devise and submit to you, not later than April 30, 1958, a mockup of a Texas statewide water program.

(b) That the corps and Bureau provide you with proposals on a basin account system for water sales from Federal reservoirs concerned with interbasin plans to support irrigation; and initiate discussions for established in Texas a uniform policy for disposal of conservation space in Federal reservoirs to the appropriate State agency.

(c) That directives be issued to Corps and Bureau field offices for immediate collaboration; reappraisal of proposed reservoirs in accordance with the realities of water supply requirements now established; and for complete field level agreement on space allocations prior to the interagency review process.

As General Person has indicated to you, the Corps of Engineers is in full agreeement with your conviction that water supply is the key to the economic future of Texas. We will be glad to collaborate in the development of a realistic and integrated water-control plan that embraces water supply, flood control and related water resources uses and problems.

In my opinion, the engineering aspects of the study and of the plan you desire will not be as difficult as the political and economic problems that must be resolved. From our experience with water problems in the State of Texas we anticipate that serious conflicts of interest may be involved in determining the uses to be made of the limited water supply available. The physical and engineering plan must to a large extent be tailored to fit the water needs and uses which will control the economic future of Texas.

Federal agencies concerned with water resource development can be of great assistance to the State of Texas in defining water supply requirements; in advising on water use; in devising an adequate engineering plan; and in recommending to Congress Federal participation in the necessary construction. But only the State of Texas can finally determine how its available water should be used. This fact leads me to suggest that our objective is the development of a State water-control plan, with Texas taking the lead in coordinating the necessary studies, rather than a Federal plan.

The Federal agencies concerned with water-resources development should cooperate fully with the State in a coordinated effort in developing the water-control plan within their respective authorities, and must collaborate fully, as you point out, at both field and Washington level. I have instructed my people to cooperate fully in that effort. There should be no duplication of effort or conflict of interest. You indicate that the Bureau of Reclamation has already gone far toward defining water needs by areas for agricultural, municipal, and industrial use and is engaged in formulating a statewide plan. We would wish to review this information and make full use of it in reappraising existing and authorized reservoirs under our jurisdiction and in preparing further plans in coordination with the Bureau, so that we may all work toward a common objective. On the other hand, the Corps of Engineers has, during its studies and from experience with project operation during the drought years and recent floods, amassed a great deal of information which we feel would be useful to the Bureau of Reclamation in the development of a coordinated program. It is probable that other Federal agencies may also be able to contribute materially. The potential effect on the problem of small upstream-storage reservoirs would indicate a need for collaboration by the Department of Agriculture in the study.

In your discussion of this problem and in your memorandum you indicated a desire to proceed as rapidly as possible. I agree that early positive action is essential. The prolonged drought and recent floods have clearly shown that present facilities for water storage are inadequate. In a report last spring on drought conditions we pointed out the general possibilities of modifying existing projects to afford greater water supply storage and stated that as a regular procedure we intended to reexamine authorized projects in this light as they reached the design stage and funds were made available for preconstruction planning. We also warned at that time against any general conversion of existing flood storage capacity to water supply use, in view of the possibility that the drought might be broken by a period of heavy rainfall. The events of recent months have amply demonstrated the need for a much larger flood storage capacity.

I suggest therefore that as an initial phase of the overall investigation you have proposed, we review our already authorized projects in the light of overall requirements and objectives. Since it appears a practical certainty that these projects are now, or can be modified to be, key elements of any overall integrated program which may be developed, this would appear to be a practicable first step which would provide the basis for prompt action on any additional authorization by Congress that might be necessary, and would pave the way for early appropriations for construction. Under the authority now available to us and with funds which the Senate is now considering for appropriation for fiscal year 1958, I believe that we can complete by April 30, 1958, a reappraisal of the nine reservoirs which are now authorized but not started.

We would at the same time, of course, continue working with the State of Texas, the Bureau of Reclamation, and other Federal agencies toward the development of an integrated water-control plan. While we will make every effort to present a mockup of such an overall plan by the date you suggest, I am unable to make a firm commitment on this point without more complete knowledge of the status of studies by the Bureau of Reclamation and the State of Texas.

With reference to your request for a proposal on a "basin account" system for water sales from Federal reservoirs to support irrigation, it may not be possible at an early stage to anticipate what might be acceptable to the various conflicting interests in Texas. This is a highly controversial matter which basically should be resolved by the State and the several interests involved since in the final analysis the success of and repayment plan will depend upon its acceptance by the many interests concerned—urban, industrial, and rural—who will be required to enter into the cost-sharing arrangements. The decisions involving the use and distribution of the increased water supplies as between municipalities, industries, and irrigation interests are matters primarily of State and local concern. Discussions of this matter with representatives of the State and affected interests would, of course, be a basic necessity.

I am enclosing for your information a brief statement giving the status of the authorized civil-works program in Texas and an appraisal of our present ability to proceed with these improvements based upon anticipated appropriations for fiscal year 1958.

I appreciate the opportunity you have given me to comment on your proposal. While my suggestions as to procedure differ in some degree from the general outline of your memorandum I feel that they recognize the primary interest of the State of Texas in planning for its water resources and that they provide a sound basis for participation and collaboration by the Federal agencies concerned, and they afford the opportunity for early positive action on key elements of an overall plan. It is my intention to discuss further details of procedure with the Commissioner of Reclamation, if you concur with the suggestions contained herein. It would also be desirable at an early date to enlist the interest and leadership of the State of Texas in this undertaking.

Sincerely yours,
E. C. ITSCHNER,
Major General, United States Army
Chief of Engineers.

STATUS OF CIVIL WORKS PROGRAM IN TEXAS

The Corps of Engineers has already completed 13 multiple-purpose reservoir projects in the State, including Denison Dam on the Texas-Oklahoma border, at a total cost of $242.1 million. These projects include over 1 million acre-feet of storage capacity specifically for water supply purposes and, in addition, two of the projects provide a regulated stream flow in downstream areas as the result of hydroelectric power production. At present we have three additional reservoir projects under construction with a total

estimated cost of $74.4 million. Two of these new projects will include 618,000 acre-feet of storage specifically for water supply purposes, and the third will provide a large dependable water supply in the downstream area through regulation of stream flows for hydroelectric power generation. Nine additional reservoir projects costing an estimated $167 million have been authorized by Congress, but construction work has not, as yet, been initiated. A total of 485,100 acre-feet of storage capacity is presently proposed for water supply purposes in these future projects.

Both the Senate and House Appropriations Committees recommended the following funds for planning of Texas reservoir projects in fiscal year 1958: Cooper Reservoir, $275,000; Proctor Reservoir, $100,000; and Waco Reservoir, $150,000. In addition, the Senate committee recommended $100,000 for Lampasas Reservoir, and both the Senate and House committees expressed no objection to acceptance by the Corps of Engineers of an advance of $250,000 from local interests against their ultimate contribution to Waco Reservoir if this will permit the corps to proceed with a construction contract award in fiscal year 1958. If favorable action is taken by the Congress on all of these recommendations, we would have planning funds available for 4 of the 9 authorized projects, and be in a position to consider the acceptance of initial construction funds from local interests for 1 project.

In addition the Corps of Engineers has outstanding authorities for review studies on all of the major rivers of Texas, and it will be possible for us to proceed with these studies if adequate funds are appropriated for that purpose. These study authorities are broad enough to enable the corps to consider water supply as well as flood control and other related water uses and problems.

A list of reservoirs in Texas under the jurisdiction of the Corps of Engineers is attached.

Status of Corps of Engineers' reservoir projects in the State of Texas

Name and status	Estimated cost	Water supply storage (acre-feet)	Power draw-down storage (acre-feet)
Completed:			
Denison	[1] $74,265,000	21,300	1,730,000
Texarkana	33,890,000	13,400	0
Benbrook	10,940,000	72,500	0
Grapevine	8,167,000	161,250	0
Lavon	11,160,000	100,000	0
Lewisville	17,800,000	436,000	0
Whitney	40,620,000	0	131,700
Belton	13,400,000	125,700	0
Dam B	5,970,000	77,600	0
Hords Creek	2,175,000	5,780	0
San Angelo	14,810,000	80,400	0
Addicks	4,879,000	0	0
Barker	4,130,000	0	0
Total	242,116,000	1,093,930	1,861,700
Under construction:			
Ferrells Bridge	11,800,000	251,600	0
McGee Bend	48,600,000	0	1,383,500
Canyon	14,000,000	366,400	0
Total	74,400,000	618,000	1,383,500
Authorized:			
Cooper	12,500,000	10,000	0
Navarro Mills	5,000,000	53,200	0
Ferguson	16,300,000	62,200	0
Lampasas	26,300,000	56,200	0
Laneport	21,500,000	28,400	0
Proctor	14,600,000	31,400	0
Somerville	10,200,000	38,800	0
Waco	37,700,000	104,100	0
Gonzales	15,600,000	100,800	0
Total	159,700,000	485,100	0
Grand total	476,216,000	2,197,030	3,245,200

[1] Includes 3d power unit and Willis crossing not yet constructed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 3, 1957, the President had approved and signed the act (S. 2504) to amend and extend the Small Business Act of 1953, as amended.

REPORT ON PROMOTION OF PEACE AND STABILITY IN THE MIDDLE EAST—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the first report to the Congress covering activities through June 30, 1957, in furtherance of the purposes of the joint resolution to promote peace and stability in the Middle East.

The resolution is an important milestone in our foreign policy as it relates to the Middle East. Since its approval on March 9, 1957, the resolution has played a major role in our cooperation with nations of the area to build strength against the threat of international communism. Furthermore, it has served as an unmistakable warning to international communism against all forms of aggression. The contribution of the resolution to international peace and stability in the Middle East will continue to grow as long as the purposes and principles it sets forth are maintained.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 31, 1957.*

REPORT ON ACTIVITIES OF CORREGIDOR BATAAN MEMORIAL COMMISSION — MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States which was referred to the Committee on Foreign relations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor Bataan Memorial Commission for the fiscal year ending June 30, 1957.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1957.*

(NOTE.—Only copy of report transmitted to the House of Representatives on August 5, 1957.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its readings clerks, announced that the House had passed the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. In accordance with the order entered on Friday last, providing a period for the transaction of routine morning business, with a limitation of 3 minutes on statements, morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF FEDERAL BUREAU OF NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Federal Bureau of Narcotics, for the calendar year ended December 31, 1956 (with an accompanying report); to the Committee on Finance.

REPORT ON TORT CLAIMS PAID BY FEDERAL CIVIL DEFENSE ADMINISTRATION

A letter from the Administrator, Federal Civil Defense Administration, Battle Creek, Mich., reporting, pursuant to law, that no tort claims were paid by that Administration during the fiscal year 1957; to the Committee on the Judiciary.

RESCISSION OF ADJUSTMENT OF STATUS OF TAN TAT GEEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order relative to the rescission of adjustment of status granted Tan Tat Geen (with an accompanying paper); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of order granting the application for permanent residence filed by King Fong Sheng, together with a statement of the facts and pertinent provisions of law as to the subject, and the reasons for granting such application (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

UNIFORM PAY SYSTEM FOR CERTAIN FEDERAL EMPLOYEES

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide a uniform premium pay system for Federal employees engaged in inspectional services, to authorize a uniform system of fees and charges for such services, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

AMENDMENT OF CLASSIFICATION ACT OF 1949, AS AMENDED RELATING TO CLASSIFICATION OF CERTAIN POSITIONS

A letter from the Chairman, United States Civil Service Commission, Washington, D. C., transmitting a draft of proposed legislation to amend the Classification Act of 1949, as amended, to facilitate proper classification of positions in grades GS–16, GS–17, and GS–18, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

RESOLUTION OF WEST RIVER MUTUAL AID TELEPHONE CORP., OF HAZEN, N. DAK.

Mr. LANGER. Mr. President, I present a resolution adopted by the West River Mutual Aid Telephone Corp., of Hazen, N. Dak., relating to the lack of adequate rural telephone communication in America. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there is a lack of adequate rural telephone communication in America; and

Whereas the lack of adequate rural telephone communication in America is in large part due to the marginal financial feasibility of constructing and operating such rural telephone systems; and

Whereas private industry and private capital has not seen fit to invest in and fully develop the rural telephone program in America; and

Whereas the Congress of the United States has amended the Rural Electrification Act of 1936 in order that rural America might have telephone service; and

Whereas there are many rural areas where any increased cost in establishing telephone service would result in loan applications proving unfeasible; and

Whereas an increase in the interest rates on REA loans would adversely affect the attainment of the objective of Congress in establishing and amending the Rural Electrification Act of 1936: Now, therefore, be it

Resolved, That West River Mutual Aid Telephone Corp., go on record opposing any increase in the interest rate charged on REA loans; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States; to the North Dakota Congressional delegation; and to the Administrator of the Rural Electrification Act.

RESOLUTIONS OF NORTH DAKOTA RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted by the North Dakota Rural Electric Cooperative Association, at Grand Forks, N. Dak.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

INTEREST RATES

Whereas an increase in interest rates on loans to rural electric cooperatives has been proposed, despite the fact that the Government has shown a profit of some $47 million on the lending operations to date of the Rural Electrification Administration; and

Whereas the present high cost of money to the Government is caused by an artificially induced tight-money policy and is not expected to be permanent; and

Whereas REA loans are on the usual long-term basis, over years of fluctuations in economic conditions; and

Whereas it would be unjust and inequitable to increase interest rates in view of the probability of future fluctuations in economic conditions, as has happened in past years: Be it therefore

Resolved, That we do hereby urge the Congress of the United States to resist any increase in interest rates to REA borrowers.

HELLS CANYON

Whereas the Senate of the United States has already favored the construction of a high Hells Canyon Dam on the Snake River; and

Whereas we believe that the construction of a high Hells Canyon multiple-purpose dam is highly economically preferable to the general public as compared with small low-head dams; and

Whereas we deem it essential that all remaining public natural resources be preserved for the public benefit: Therefore be it

Resolved, That we do hereby commend those Members of the Senate of the United States who voted for the high Hells Canyon bill; and that it be further

Resolved, That we urgently petition the favorable consideration of the high Hells Canyon bill by the Members of the United States House of Representatives, and that we do hereby urge the President of the United States to sign into law the high Hells Canyon bill, if presented to him.

GENERATION AND TRANSMISSION LOAN FUNDS

Whereas anticipated power demands of the great Middle West greatly exceed present existing generation and transmission facilities available to the REA cooperatives located here; and

Whereas we readily recognize that more power generation and transmission will be urgently needed in the very near future: Therefore be it

Resolved, That the Congress of the United States make available to the Rural Electrification Administration sufficient and adequate funds for the construction of such adequate and sufficient power generation and transmission facilities.

PREFERENCE CONCEPT

Whereas water power resources belong inevitably to the people of the United States and not to private individuals or corporations; and

Whereas it is of the utmost importance to the general public that the historic attitude of Congress of the United States with reference to power preference be maintained: Therefore be it

Resolved, That we do hereby commend the Congress of the United States for its preservation of the preference concept, and do further urge that the Congress of the United States continue to support and maintain preference for rural electric cooperatives and other consumer-owned electric systems.

TRIMBLE BILL

Whereas we are of the opinion that the cost of construction and operation of multiple-purpose dams should be borne in direct relation to benefits received by individual purposes such as flood control, irrigation, power generation, recreation, and wildlife, etc., and be repaid on a period recognizing the life expectancy of these facilities: Therefore be it

Resolved, That we do urgently request the favorable consideration by the Congress of the United States of the Trimble bill, H. R. 965.

TENNESSEE VALLEY AUTHORITY

Whereas we recognize the Tennessee Valley Authority as being the outstanding yardstick on power cost; and

Whereas we believe it imperative that this yardstick be maintained: Therefore be it

Resolved, That we do urge the passage of bills to permit TVA to issue and sell bonds, notes, and other evidence of indebtedness to assist in financing its power expansion program, and do further urge the passage of all other measures which will preserve TVA's existence.

YELLOWTAIL DEVELOPMENT

Whereas the continually increasing demand for low cost electric power makes it necessary that the potentialities of the Yellowtail project be integrated with the Missouri Basin power development program; and

Whereas we reject the partnership concept of development of public power resources: Now, therefore

We urge the immediate and expeditious development of the Yellowtail project in the State of Montana on the Big Horn River, as a self-liquidating Federal project; and

We further request, that the Bureau of Reclamation be empowered to construct necessary transmission lines and facilities to integrate this project with the other Missouri Basin projects.

FEDERAL ACCOUNTING SYSTEM

Whereas the Federal accounting and budgetary system makes no distinction between wealth-creating investments and ordinary operating costs, and as such is misleading to Congress, our members and the public in general: Therefore be it

Resolved, That proper laws be enacted to establish a "capital budget" and accounting system; and be it further

Resolved, That our local cooperatives and statewide association of rural electric cooperatives, take proper measures to educate the public on the importance of this change.

POWER COMPANY PROPAGANDA EXPENSE

Whereas we are unalterably opposed to the private power companies spending rate-paying consumers money for propaganda purposes aimed at destroying rural electric cooperatives and public-power development, charging the costs of such propaganda as a legitimate operational expense, and thereby gaining unwarranted exemption for Federal corporation taxes as to those amounts: Therefore be it

Resolved, That we urge the Congress of the United States to enact appropriate measures to curb this insidious practice.

USE OF MISSOURI BASIN WATER

Whereas the time has come when the so-called abundant supply of water in the Missouri River Basin is no longer adequate to supply all the demands for water of the Missouri Basin as well as demands for water for navigation and other purposes downstream to the gulf; and

Whereas the amount of water stored behind all main stem dams on the Missouri River at June 1 this year was less than the amount stored behind Fort Peck Dam alone 2 years ago, indicating a serious depletion of our water supply apparently to take care of navigation and other downstream requirements; and

Whereas this matter is of such concern to the people of the Missouri Basin that the State Legislatures of Montana, South Dakota, and North Dakota all memorialized Congress earlier this year to study this problem, giving careful consideration to the present uses of our water resources, in relation to compliance with the O'Mahoney-Millikin amendment: Now, therefore, be it

Resolved, That we the members of the North Dakota Association of Rural Electric Cooperatives, respectfully request Congress to continue studies and hearings on this problem, and that they take steps necessary to see that the O'Mahoney-Milliken amendment be adhered to, and we further urge Congress to reexamine the whole area of Missouri Basin planning and management to determine whether it would not be better to substitute one agency with overall authority and responsibility rather than the numerous inefficient agencies and bureaus which we now have.

SAFETY AND JOB TRAINING

Whereas safety and job training has been and we hope will continue to be an important part of rural electric and telephone cooperative development; and

Whereas valuable contributions have been made by the State of North Dakota and the Federal Government with George-Barden Act funds; and

Whereas there is a need for continuance of these needed services: Therefore be it

Resolved, That we highly commend the personnel and program of our safety and job training department; and be it further

Resolved, That we urge the continuation of George-Barden Act funds.

COMMENDING ADMINISTRATOR HAMIL

Whereas 1 year ago REA Administrator David A. Hamil appeared before the annual meeting of this association in Dickinson, N. Dak., as one of his first official acts as REA Administrator; and

Whereas the favorable impression made by him on the group assembled has since been borne out by his commendable record: Therefore be it

Resolved, That we do hereby express our most grateful appreciation and respect for the fine and capable administration which David Hamil has displayed as REA Administrator since taking office.

COMMENDATION

Whereas Senators WILLIAM LANGER and MILTON R. YOUNG, and Representative USHER L. BURDICK, have long been friends of REA, evidenced by their early and lasting support of REA legislation: Therefore be it

Resolved, That we do once more commend each of them for this untiring and unfailing support of the cause of rural electrification.

APPRECIATION

We congratulate the National Association of Rural Electric Cooperatives on its new headquarters building and commend Clyde Ellis and his staff for the increasingly valuable services which they are providing the member cooperatives.

APPRECIATION

Whereas the city of Grand Forks, Nodak Electric Cooperative, Inc., Minnkota Electric Cooperative, Inc., the North Dakota State Extension Department and others have contributed to the success of the 1957 annual meeting of the North Dakota Cooperative Association: Therefore be it

Resolved, That the association extend its sincere thanks and appreciation to these bodies and the individuals associated therewith.

DR. C. H. HOFSTRAND

Whereas we have all been very much saddened at the news of the untimely passing of our good friend and fellow director and president of Baker Electric Cooperative, Dr. C. H. Hofstrand; and

Whereas Dr. Hofstrand has for many years been an active booster and an ardent supporter of REA, both on the national level and within our State, where he accomplished much for REA, particularly in his capacity as a veteran Member of the House of Representatives; and

Whereas we shall greatly miss his wise counsel and his untiring labors: Now, therefore, be it

Resolved by the North Dakota Association of REA Cooperatives in annual meeting assembled in Grand Forks, N. Dak., these 11th and 12th days of July 1957, That we hereby express our deepest sympathy to the family of Dr. Hofstrand; and further

Resolved, That we hereby order a copy of this resolution to be sent to his family and a copy be spread upon the minutes of our organization as a tribute to the memory of Dr. Hofstrand.

G. H. PACE

Whereas we regret the untimely passing of Glenn Pace, vice president of Verendrye Electric Cooperative, and we will miss his untiring efforts for REA on both a local and statewide level: Now, therefore, be it

Resolved, That the North Dakota Association of Rural Electric Cooperatives express their regret to his family, and that a copy of this resolution be attached to the minutes of this meeting.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1110. A bill for the relief of Sono Hoshi (Rept. No. 793);

S. 1456. A bill for the relief of Refugio Guerrero Monje (Rept. No. 794);

S. 1467. A bill for the relief of Itsumi Kasahara (Rept. No. 795);

S. 1867. A bill for the relief of Hiroko Miyazaki (Rept. No. 796);

S. 1929. A bill for the relief of Stephen James Meier (Rept. No. 797);

S. 1930. A bill for the relief of Todd Gene Biedermann (Rept. No. 798);

S. 1931. A bill for the relief of Jon Frederick Corder (Rept. No. 799);

S. 1993. A bill for the relief of Inge Gertraud Pursel (Rept. No. 800);

S. 2111. A bill for the relief of Yuko Shiba (Rept. No. 801);

S. 2498. A bill for the relief of Matthew M. Epstein (Rept. No. 802);

H. R. 1473. An act for the relief of Richardson Corp. (Rept. No. 810);

H. R. 1861. An act for the relief of George W. Arnold (Rept. No. 811);

H. R. 2264. An act for the relief of Donald F. Thompson (Rept. No. 812);

H. R. 2674. An act for the relief of Morris B. Wallach (Rept No. 813);

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dewa (Rept. No. 814);

H. R. 2928. An act for the relief of Harry and Sadie Woonteiler (Rept. No. 815);

H. R. 2937. An act for the relief of Clarence L. Harris (Rept. No. 816);

H. R. 2985. An act for the relief of Alton B. York (Rept. No. 817);

H. R. 3723. An act for the relief of Major General Julius Klein (Rept. No. 818); and

H. R. 6527. An act for the relief of Horace Collier (Rept. No. 819).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 527. A bill for the relief of Achille Aquino Fu' Giovanni (Rept. No. 803);

S. 1284. A bill for the relief of Josef Salamon (Rept. No. 804);

S. 1660. A bill for the relief of Karin Tittel Taylor (Rept. No. 805);

S. 2018. A bill for the relief of Erika Haberl Sain (Rept. No. 806);

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes (Rept. No. 820); and

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 809).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1649. A bill for the relief of certain aliens (Rept. No. 807); and

S. 2040. A bill for the relief of Ramon Notario Boytell (Rept. No. 808).

BILLS INTRODUCED

Bill were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 2687. A bill for the relief of Mrs. Young Chong How and her daughter, Chu Fung Lau; to the Committee on the Judiciary.

By Mr. CHAVEZ (for himself and Mr. HRUSKA):

S. 2688. A bill to provide for a Commission on Presidential Office Space; to the Committee on Public Works.

By Mr. LANGER:

S. 2689. A bill for the relief of Walter Troxel; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2690. A bill for the relief of Yvonne Cypert (Tomoko Tsujiki); to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 2691. A bill for the relief of Hiroko Ozaki; to the Committee on the Judiciary.

By Mr. MALONE:

S. 2692. A bill to impose a tax on the importation of tungsten; to the Committee on Finance.

S. 2693. A bill to provide for a national labor-management policy, to repeal the Labor-Management Relations Act, 1947, and the National Labor Relations Act, as amended, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MALONE when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. MALONE (for himself and Mr. CASE of South Dakota):

S. 2694. A bill to amend section 613 of the Internal Revenue Code of 1954 to change the percentage depletion allowance for silver mines; to the Committee on Finance.

By Mr. ALLOTT:

S. 2695. A bill for the relief of Clara McGinness; to the Committee on the Judiciary.

By Mr. POTTER:

S. 2696. A bill to prohibit Government agencies to acquire or use the National Grange headquarters site without specific Congressional approval; to the Committee on Public Works.

(See the remarks of Mr. POTTER when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S. 2697. A bill for the relief of Nancy Ok Soon; and

S. 2698. A bill for the relief of Cindy Tina Wann (Sung Sook Kang); to the Committee on the Judiciary.

By Mr. CARROLL:

S. 2699. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing a national monument on the site of Old Bent's Fort near La Junta, Colo.; to the Committee on Interior and Insular Affairs.

By Mr. ERVIN:

S. 2700. A bill to provide for the appointment of a district judge for the eastern, middle, and western districts of North Carolina; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2701. A bill to provide for the appointment of an additional district judge for the southern district of Mississippi; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2702. A bill to make permanent the temporary judgeship for the district of Utah; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2703. A bill to provide for the redistricting of the judicial district of North Dakota, and for other purposes; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2704. A bill to amend section 201 (a) of the United States Information and Educational Exchange Act of 1948 so as to permit the waiver of fingerprinting requirements with respect to persons admitted into the United States pursuant to such act; to the Committee on Foreign Relations.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS—INVESTIGATION OF CATTLE AND LAMB PRICES

Mr. MALONE submitted the following concurrent resolution (S. Con. Res. 43); which was referred to the Committee on Agriculture and Forestry:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint Congressional committee to be composed of 5 members of the Senate to be appointed by the President of the Senate, and 5 members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members. A quorum of the joint committee shall consist of six members, except that the joint committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

SEC. 2. The joint committee shall make a full and complete investigation and study in order to determine the reason or reasons for the great difference in the price of cattle and lambs as paid to the farmer or livestock raiser for such products and the price received for the same products in retail sales to consumers. The joint committee shall as soon as possible during the 85th Congress report to the Senate and the House of Representatives the results of such investigation together with any recommendations for remedial action it may have. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 3. The joint committeee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the 85th Congress, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SEC. 5. The expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman of the joint committee.

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 44) to express the sense of Congress relative to interchange on a reciprocal basis of persons with Russia and other Eastern European countries under the United States Information and Educational Exchange Act, which was referred to the Committee on Foreign Relations.

(See concurrent resolution printed in full when presented by Mr. JAVITS, which appears later in today's RECORD under a separate heading.)

RESOLUTION

Mr. RUSSELL submitted Senate Resolution 176, relating to the death of former Senator Walter F. George, of Georgia, which was considered and agreed to.

(See resolution printed in full when submitted by Mr. RUSSELL, which appears under a separate heading.)

TAX ON IMPORTATION OF TUNGSTEN

Mr. MALONE. Mr. President, I introduce, for appropriate reference, a bill to impose a tax on the importation of tungsten. I ask unanimous consent that the bill lie on the desk until the close of business on tomorrow, August 6, 1957, so that any Senator who may wish to do so may join me as cosponsor.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested by the Senator from Nevada.

The bill (S. 2692) to impose a tax on the importation of tungsten, introduced by Mr. MALONE, was received, read twice by its title, and referred to the Committee on Finance.

PROHIBITION OF ACQUISITION OF CERTAIN PROPERTY BY GOVERNMENT AGENCIES

Mr. POTTER. Mr. President, I introduce, for appropriate reference, a bill to prohibit Government agencies to acquire or use the National Grange headquarters site without specific Congressional approval.

The bill provides that no portion of lot 816, square 167, in the District of Columbia, the headquarters and property of the National Grange of the Patrons of Husbandry, shall be acquired for or used by any agency of the Federal Government.

It directs the Administrator of the General Services Administration to withdraw the declaration announcing the taking of said lot, heretofore filed by him in the United States District Court for the District of Columbia, and to take such other action as may be necessary to restore title to said lot to the National Grange of the Patrons of Husbandry.

As all of us know, there has been a great deal of interest on behalf of the National Grange to retain the historic site. This is a bill which would implement their interest in the case.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2696) to prohibit Government agencies to acquire or use the National Grange headquarters site without specific Congressional approval, introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Public Works.

EXPRESSION OF SYMPATHY TO PEOPLE OF GUATEMALA

Mr. CHAVEZ. Mr. President, on July 30, I submitted Senate Resolution 172. Because of my lack of experience, I did not request that the resolution be acted upon on that day.

I now ask unanimous consent that the resolution be considered and agreed to.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

Be it resolved, That the Senate of the United States is shocked and saddened at the murder of Col. Carlos Castillo Armas, President of the Republic of Guatemala, by a political assassin, a most wanton and despicable act that not only has robbed the people of Guatemala of their great leader, but which also has deprived the cause of freedom throughout the world, of one of its most valiant champions; be it further

Resolved, That, the Senate of the United States hereby extends its deepest sympathy to the people of Guatemala and to the widow, Senora Odilia Palomo de Castillo Armas, for their tragic loss; be it further

Resolved, That the Secretary of the Senate is hereby directed to request the Department of State to forward copies of this resolution as expeditiously as possible to the United States Embassy in Guatemala, to be officially presented to the President of the Republic, the Presiding Officer of National Congress, and to Senora Castillo Armas.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Mexico for the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 172) was considered and agreed to.

TIGHT CREDIT AND LOWER PRICES

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD an article published today in the New York Times. The article was written by Edwin L. Dale, Jr., and is entitled "Federal Reserve Sees Tight Credit Lowering Prices." The article is based on recent testimony by William McChesney Martin, Jr., Chairman of the Federal Reserve Board, and throws considerable light on this interesting phase of the subject of inflation, interest rates, and so forth.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 5, 1957]

FEDERAL RESERVE SEES TIGHT CREDIT LOWERING PRICES—MARTIN LOOKS FOR A DECLINE AS BORROWING BECOMES DIFFICULT FOR SELLERS

(By Edwin L. Dale Jr.)

WASHINGTON, August 4.—The Federal Reserve Board has developed a theory to justify the use of credit restraints as a weapon to fight the current, seemingly nonclassic, inflation.

Normally the aim of a tight-money policy is to reduce demand, on the theory that inflation is caused by too much demand for the available supply of goods and services. This is classic inflation.

The Federal Reserve is now willing to concede that there are no shortages in the economy, and that there is even a temporary overcapacity and thus no clear evidence of excessive demand.

But the Board still believes tight money is an essential, and effective, weapon for fighting the puzzling inflation that is going on in the face of a generally sluggish demand.

The new theory was elaborated in recent days before the House Banking Committee by William McChesney Martin Jr., chairman of the Reserve Board.

The committee is considering a technical bill to revise banking laws, but members asked Mr. Martin about the inflation and the tight-money policy.

HINTS AT LOWER PRICES

In elaborating the theory, Mr. Martin also made plain his belief that at least some prices were going to have to be adjusted downward to break the inflation. He indicated, but did not say outright, that the alternative would be loss of sales and perhaps some unemployment.

The theory, in brief, is this:

A key method by which sellers have been able to maintain or even increase prices in the face of slow demand has been to hold goods off the market.

Because general operating costs continue while sales are reduced, such a method requires financing—that is, borrowed money. Thus restraints on bank lending reduce the ability of sellers to use this device, and ultimately they must cut prices to make sales.

Mr. Martin puts it in these words:

"As temporary overcapacity develops, people say: 'We would like to borrow more money because we don't want to sell our product at the present time."

WOULD PASS ON INCREASE

" 'We may not be able to get our price, and we have just had an increase in wages and costs and we want to put the price up to the consumer, even though the consumer doesn't seem particularly anxious to buy.'

"Under these circumstances, borrowed money is just deferring an adjustment that at some point has to be made."

Mr. Martin made plain his belief that supply and demand would work in the end, that is, if demand continued sluggish, prices would start coming down.

He defended tight money, both as a way of keeping demand within bounds and as a way of preventing an artificial escape by sellers from the inevitable adjustments.

Current conditions in the economy, he said, cannot be sustained, and borrowed money should not be a means of sustaining them. The adjustments "will ultimately be made," he asserted.

Asked if he believed this was a new type of inflation Mr. Martin answered:

"I just don't agree with the people who say that this inflation is a different type of inflation. It is still inflation. And we have got to stop it."

Over a "short period of time," he said, "you may have administered prices or you may have means of keeping items off the market, but in the long run supply and demand operate."

Mr. Martin emphasized that he did not want a recession in the economy. But he continued, "When business gets an unbalance in its cost-price relationship and is trying to pass that cost price along to the consumer, at some point the consumer balks."

Federal Reserve officials have made plain that they have no intention of easing credit restraints merely because there is some sluggishness in general business conditions, at least not until prices stop rising.

Mr. BUSH. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an article by Edward H. Collins, financial editor of the New York Times. The article is entitled "Speedup of Money." It deals with the question of the velocity of money and its effect on the economy, inflation, and interest rates. It will be of substantial assistance to those who are interested in this subject, in understanding the difficulties involved.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 5, 1957]

SPEEDUP OF MONEY (II)—A FURTHER EXAMINATION INTO WHY TIGHT CREDIT TENDS TO GO FASTER

(By Edward H. Collins)

In last week's piece here the writer sought to stress the importance of distinguishing, at any given time, between the country's money supply, on the one hand, and on the other its effective money supply, which is to say the volume of money outstanding multiplied by its rate of activity.

When we speak of the money supply we usually have in mind the sum of (1) demand deposits adjusted and (2) currency outside the banks. The most recent figures show these, in round figures, at $107 billion and $28 billion, respectively, a total of $135 billion.

Strictly speaking, it should be pointed out, perhaps, that there are no figures available showing the velocity of the money supply as here defined. Since there is no way of measuring the activity of the currency component, figures on velocity must necessarily be based upon the behavior of the 80 percent of the total represented by demand deposits.

So far as the regularly published figures on velocity are concerned, no attempt is made to cover all of this 80 percent. Three series of figures appear each month in the Federal Reserve Bulletin. One is confined to New York City banks, a second covers the banks in 6 other leading financial centers of the Nation, and the third covers the banks in 337 other centers. Unless otherwise indicated, the series usually referred to, officially and unofficially, is the last-named, which is, of course, the most comprehensive, geographically, of the three. The activity, or velocity, of demand deposits is the ratio of debits to deposits after deducting interbank and Government accounts.

MONEY AND JOBS

Perhaps as simple a way as any to picture the role played by velocity in determining the effectiveness on the economy and the price level of a given volume of money is to place the statistics on money side by side with those on employment.

The most recent figure available show total civilian employment standing at 66.5 million. This is a high level of employment, but for certain purposes, such as potential production, personal income, consumer purchasing power or Federal revenues, it is important to know whether the average workweek of these 66.5 million gainfully employed is, let us say, 36.4 hours, or 41 hours. An increase from the lower of these two figures to the higher would represent an increase of more than 12½ percent in the Nation's labor input.

For purposes of rough comparison the 66.5 million figure for civilian employment might be likened to the $135 billion in money outstanding. Since the second quarter of 1955, when the monetary authorities introduced their restrictive credit policy, the expansion of the Nation's money supply has been held to $2.4 billion, or about 1.8 percent. As a percentage of the gross national debt it has actually declined from 34.6 percent to 31 percent.

But if the figure on the supply of money may be compared with that of civilian employment, then the velocity of circulation may be said to be a rough counterpart of the length of the work week. And while the money supply has risen by only 1.8 percent over the past 2 years, its rate of activity has risen by no less than 13.6 percent. The net result of these two changes has been to expand the effective money supply by nearly 15½ percent, a figure exceeding by almost one-quarter the amount by which the national economy has expanded in the same period.

SQUEEZE LIFTS VELOCITY

At first glance it might seem paradoxical that at the very time when the monetary authorities are directing their policies to halting a further increase in the available supply of credit, the velocity of circulation should decide to rise sharply, thus seeming to defeat the whole purpose of the so-called tight-money policy. Actually, as the annual review of the Bank for International Settlements observes, such a development follows quite logically from any central bank policy that seeks to contain the money supply and increase interest rates.

That is why such policies, though usually successful in the long run, frequently have only a modest effect on the volume of spending (and hence the price level) in their early stages, and find their first real response in a rising velocity of circulation. This seeming contradiction is explained by the fact that they bring into play the phenomenon Keynes has defined as liquidity preference.

When the rates on short-term paper rise sharply, as they have during the past 2 years, for example, this fact has a marked effect on the form in which business keeps its liquid assets. In such a situation the tendency is for business firms to reduce that part of their reserves kept in the form of demand deposits to an absolute minimum, and to put these reserves partly on time deposit and partly in Treasury bills or other short-term paper.

This means that the issuers of such paper come into possession of funds that had hitherto consisted of dormant demand deposits. The related shift to time deposits has a similar effect, inasmuch as the now reduced supply of demand deposits must be used more actively in order to finance the same, or an increased, volume of business.

Only as idle deposits are absorbed into active circulation can the restrictive policies of the monetary authorities be expected to achieve their full effectiveness.

Mr. BUSH. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial entitled "Refuting Some 'Nonsense,' " which was published on August 3 in the Washington Evening Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of August 3, 1957]

REFUTING SOME "NONSENSE"

Economists and political spokesmen alike have joined in the vigorous debate of recent months over the wisdom and effectiveness of administration tight-money policies as a weapon against inflation. There have been persuasiveness and sincerity on both sides, as well as exaggeration and misrepresentation. It is a fact that the inflationary pressures are continuing, despite the credit restraints. It may also be a fact, however, that the pressures would be worse and perhaps become uncontrollable if the restraints were removed in favor of easier money.

Senator BUSH, Connecticut Republican, has been one of the foremost defenders of administration fiscal policies in Congressional debate. He was an investment banker of

long experience before his election to the Senate in 1952, and he is now a member of the Banking and Currency Committee. Recently, Mr. BUSH offered an answer to the particular charge that administration policies resulting in higher interest rates have been of direct benefit only to banking institutions. His answer is a convincing one.

Citing official Government (nonpartisan) statistics, the Connecticut Senator shows the impact of interest rate changes between 1952 and 1956 on three major classes of lending institutions—commercial banks, mutual savings banks, and savings and loan associations. For commercial banks, interest received rose by 46.7 percent but interest paid out rose by 75.9 percent. For the mutual banks, interest received rose by 58 percent but interest paid increased by 66.7 percent. For the savings and loan associations, interest received rose by 108 percent but that paid out increased by 126 percent. There are, of course, millions of depositors in these institutions who have shared in these higher returns on their money. In Mr. BUSH's opinion, and the statistics support that opinion, "the charge that only bankers gain from higher interest rates is nonsense."

RISING AUTOMOBILE PRICES AND THE MARKET FOR SMALLER AUTOMOBILES

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from a special dispatch by Joseph C. Ingraham, from Detroit, which was published in the New York Times of today, August 5; and I also ask unanimous consent to have printed at this point in the RECORD an excerpt from a special dispatch by Damon Stetson, from Detroit, which was published in the New York Times of today.

There being no objection, the excerpts from the articles were ordered to be printed in the RECORD, as follows:

[Excerpt from special dispatch from Detroit to the New York Times of August 5 by Joseph C. Ingraham]

American Motors Corporation is pinning its hopes for 1958 on its economy Rambler. The comany's so-called senior cars, Nash and Hudson, are fast disappearing from the scene. The models ended their year's run last month with a total production of slightly under 5,000.

NEW RAMBLER PLANNED

Rambler also will offer late this year a new smaller version on a 100-inch wheelbase. This will try to counter the growing inroads of the small foreign-built economy cars. American Motors plans a new name for this car to distinguish it from the larger 116-inch wheelbase Rambler.

The Studebaker-Packard Corp. will offer a face-lifted line that will emphasize its Scotsman, an austere Studebaker in the economy class, and, at the other end of the scale, its sport series of Hawk cars.

[Excerpt from special dispatch from Detroit to the New York Times of August 5 by Damon Stetson]

General Motors also is about to inject a new competitive factor in the small-car field. It will do this by bringing its Vauxhall Victor, made in Britain, and the Opel Rekord, made in Germany, into the American market.

FOREIGN CARS GAIN

General Motors' decision to import its Victor and Rekord cars showed recognition of the increasing importance of foreign cars in the American market. Ford has been importing British-made Fords for several years and American Motors has been gratified by the response to its British-made Metropolitan. Chrysler is also reported to be considering getting into the foreign car field.

Behind the new interest in foreign makes is a realization, perhaps belated, that a lot of American car buyers are bothered by the high prices and high operating costs of today's American cars. Foreign car sales this year emphasize this point.

During the first 5 month of this year 66,692 foreign cars were sold in this country, just about double the number for the same period in 1956. Leading the list in popularity is the Volkswagen. In this 5-month period 26,556 of them were sold, compared with 20,323 for the same period last year.

In 1956 total sales of foreign cars in the United States were 98,187. The industry's observers would not be surprised if 200,000 were sold this year. That is a sizable slice of auto business in which the American producers would like to share.

Mr. BUSH. Mr. President, these two excerpts from the dispatches deal with the question of small automobiles. They comment that price rises are planned for the new models to be placed on the market by American manufacturers. According to Mr. Ingraham, it is expected that automobile prices for the new models will rise, and this will make it more difficult for persons of low or medium incomes to purchase modern automobiles.

Once again this points up the necessity of increasing availability of the small car. The importers of these cars are selling all they can buy. They have big unfilled order books.

Many persons want small cars. They need them. The present "dinosaurs" are too big for garages, parking spaces, and family incomes.

Again I plead with American automobile manufacturers to meet the demand for a small car. If they do not do it, I fear they will be coming to Washington asking for some sort of tariff or import quota protection before long; and they have been the archproponents of free or freer trade.

CONFLICT OF INTEREST STATUTES AND ELECTED OFFICIALS OF GOVERNMENT

Mr. NEUBERGER. Mr. President, at his July 31 press conference, President Eisenhower was asked about news stories relating to his personal wealth. The President replied, in part, "I am an elected official and therefore the conflict-of-interest law does not apply to me."

President Eisenhower, of course, was quite correct and accurate about the law to which he referred. Yet, is it not absurd that the conflict-of-interest statute applies to lesser officials of government, but not to the highest officials? It applies to appointive officials who carry out the policies of the President and the Congress, but neither to the President himself nor to Members of Congress.

If it is wise not to allow a financial conflict-of-interest in government, then it should apply at the highest levels of government—or not at all. The present inconsistent policy means that the little folks have got to live up to high ethical standards, but there are no holds barred at the top of the heap.

At the start of their careers, some Cabinet members in President Dwight D. Eisenhower's Cabinet were questioned and assailed because they owned stock in companies with which their departments might deal. But what about stock ownership by Senators or Representatives—yes, and Presidents and Vice Presidents—in companies which are regulated, affected, or influenced by policies of Congress and the executive branch of government?

And this issue cannot realistically be limited to the narrow question of personal financial gain. How can we divorce it from the campaign contributions by which we finance the great and growing costs of modern elections?

What about Senators who have had trade-union funds in their campaigns voting on labor policies? What about Senators with oil or natural-gas funds in their campaigns voting on such matters as tidelands oil and regulation of gas rates? What about Senators with funds from big lumber companies voting on national forest regulations? What about Senators with funds from private utility executives voting on Hells Canyon or Niagara power or TVA? What about Senators with campaign contributions from owners of breweries or distilleries voting on legislation involving regulation of the liquor industry? What about Senators who retain their legal or corporate connections? And the same questions apply, of course, to Presidents, Congressmen, and all elected officials.

When I have raised these questions in the past, Senators have said that the acceptance of such campaign contributions implies no obligation to the donors, no suspension of independent judgment by the recipient, certainly no loss of integrity. I agree. But when we are so confident of the integrity of public officials whose election compaigns must be financed by contributions from private sources and interests with a stake in government, how can we challenge the equal integrity, disinterestedness, and independence of judgment of public officials whose personal financial status might be affected by their public acts? That is why, in and out of the Senate, I have questioned our system which punishes, accompanied by great public scandal, a minor bureaucrat who benefits from his position to the extent of a ham at Christmas, a watch for his wife, or an inside tip on a few shares of stock, but which simultaneously accepts as wholly natural that huge sums should be contributed by private interests to the election of the top officials who make the policies administered by that minor bureaucrat.

Mr. President, is not the whole absurd double standard of our present ethical concepts of government illuminated by that recent statement of President Eisenhower, when he told the press that "I am an elected official and therefore the conflict-of-interest law does not apply to me"?

If ever reform was called for, it is called for here. I do not criticize Mr. Eisenhower. He is not to blame for this situation. He is merely conforming to a system which existed long before he entered politics—but a system which becomes less defensible with each passing day.

JURY TRIAL AMENDMENT

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point a very interesting article, which appeared in the Washington Post and Times Herald of this morning, written by Mr. Stewart Alsop, entitled "Who Really Won?"

I do not wholly agree with Mr. Alsop that the only issue involved in the jury-trial amendment, which was voted on last Thursday, was the political consequences of that vote, because I believe that there were also involved real moral issues, which swayed many of the Members of the Senate. Nevertheless, the predictions which Mr. Alsop makes about possible consequences are extremely interesting, and I commend them to my colleagues on this side of the aisle.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of August 5, 1957]

WHO REALLY WON?

(By Stewart Alsop)

There are times—they are very rare—when a scene worth remembering, a moment of real drama and meaning, occurs on the Senate floor. There was such a moment last week, when the Senate, in the small hours of the morning, passed the jury-trial amendment to the civil-rights bill—a vote which will surely affect the political balance of power for a long time to come.

It was a scene of a sort that occurs only once or twice in a decade—every fit Senator on the floor, and the galleries choked with spectators, as the hands of the big Senate clock crept on past midnight. All present, spectators and Senators alike, were caught up in the excitement of the great Senate game.

A man's pulse can be quickened, after all, by a close contest at chess, or on the golf course. But there is nothing quite like the Senate game, in which great issues can be decided by a sudden parliamentary maneuver, or a quick, sure sensing of the Senate mood.

The game that was played out on the Senate floor last week was, moreover, a peculiarly personal contest. There were many speakers, but the floor was wholly dominated by two big men, stationed cheek by jowl on the center aisle—big, chunky, earnest Minority Leader WILLIAM KNOWLAND, and lanky Majority Leader LYNDON JOHNSON, the shrewdest Congressional leader of this generation.

They made a fascinating contrast. KNOWLAND sat stolidly, like a great cornered bull, his enormous forehead furrowed in paralleled wrinkles, foretasting defeat. JOHNSON sat back easily, his long legs negligently crossed, when he was not moving restlessly about. Once, when EVERETT DIRKSEN of Illinois rose to support KNOWLAND with his special brand of empty grandiloquence ("I have been thinking much of Runnymede"), JOHNSON half yawned, and lazily scratched his chest, in a magnificent gesture of casual confidence.

Only a few hours before, KNOWLAND thought he had won the game. He had the votes to beat off the crucial amendment, and everybody knew it. But KNOWLAND, like an overanxious golf player on the last hole of a close match, began to press too hard.

By insisting on 12-hour sessions, and by other means, he brought pressure on the Senate for a quick vote. The Senate, a leisurely body, does not like being subjected to pressure. JOHNSON, the master player of the Senate game, sniffed the Senate air, and played his hole card—a further amendment carefully tailored to attract the last of the waverers.

In the atmosphere of irritation created by KNOWLAND's pressure, this was enough. JOHNSON soon knew that he, and not KNOWLAND, had the votes. With brilliant timing, JOHNSON turned the tables on KNOWLAND, when he rose to support KNOWLAND's own motion for limited debate and an immediate vote. KNOWLAND was checkmated, and there was nothing to do.

JOHNSON had predicted 50 votes for the jury-trial amendment.

He got 51. On an issue which had divided his party as no other issue, he held all but 9 Democrats, while KNOWLAND lost 12 Republicans. The vote was a tribute to an authentic legislative genius, and for JOHNSON a moment of supreme triumph.

And yet, how solid was the triumph? Who really won?

JOHNSON won the great Senate game hands down. Yet in terms of national politics, it seems quite possible that JOHNSON, in winning, lost, and KNOWLAND, in losing, won.

For those who become caught up in the excitement of the Senate game, it is easy to forget what the civil rights fight is all about. In hard political terms, the civil-rights fight is all about the Negro vote in the key northern industrial States, where that vote can be absolutely decisive.

Negro voters interest themselves no more than white voters in the subtleties of parliamentary maneuver, or the complex legal and moral issues involved in the jury trial amendment. And yet, as a result of LYNDON JOHNSON's triumph, they have been treated to a spectacle which they are likely to interpret in only one way—the spectacle of the great bulk of the Senate Democrats siding with the bitter-end southerners, while a heavy majority of Republicans went down to defeat against them.

The Negro vote is the swing vote in a whole series of big States—New York, Pennsylvania, Illinois, Michigan, California, to name a few. That is why one cynical observer remarked as the vote was counted, "The Democrats may elect a President again in 1980—but not before," and that could be the real meaning of the midnight scene on the Senate floor last week, and the real measure of JOHNSON's triumph and KNOWLAND's defeat.

Mr. DOUGLAS. I ask unanimous consent that there also may be printed at this point in the RECORD an editorial from the New York Times of August 3 entitled "The Senate Says 'No,'" and I call attention to the last sentence of that editorial, namely:

In the interests of our own security, we need the friendship of nations largely populated by people whose skins are not as white as those of the men who voted early Friday morning for the jury-trial amendment to the civil-rights bill.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 3, 1957]

THE SENATE SAYS "NO"

It seems today that the Senate has said "No" to any real extension of civil rights at this session. It did this after 4 weeks of maneuvering in which a nucleus of 18 southern Senators distinguished themselves for their parliamentary genius, if not for their sense of democracy. It did this in its vote of 51 to 42 on the jury-trial amendment, with some highly respected northern Senators inexplicably voting with the majority.

In so doing the Senate majority, we believe, ignored the majority of the American people. That majority was reflected in two House votes on June 18: In one a southern motion to write in a jury-trial provision was turned down by a vote of 251 to 158 and in the other the bill as sent to the Senate was passed by a vote of 286 to 126.

Among those Senators who voted for the jury-trial amendment there were doubtless some who believed that any civil-rights bill this year would represent an improvement, and who therefore had been making concession after concession to a minority of the Senate and a minority of the American people.

President Eisenhower is not given to making sharp statements, but he did make a few cutting remarks yesterday. "Rarely in our entire legislative history," he said, "have so many extraneous issues been introduced into the debate in order to confuse both legislators and the public." He spoke with the "utmost concern" of the attempt "to introduce a jury trial between a Federal judge and his legal orders." He reminded the Senate that "during our history as a nation great Americans have pointed out that such a procedure would weaken our whole judicial system, and particularly the prestige of the Federal judiciary."

He said, furthermore, that such a procedure would also "make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his right to vote." It would do this by interposing a jury between a court order directed to a public official and the willful and defiant refusal of such an official individual to obey such an order.

The fact is that the basic purpose of the bill, as it has been gerrymandered by the southern minority with the willing or unwilling assistance of enough northerners to make a majority, is not at this moment to protect any American in his right to vote. The basic purpose of the bill in its present form is to seem to do something without doing anything.

Or to be scrupulously fair, the purpose of the bill as it now stands is to investigate violations of civil rights, to endow the Department of Justice with a Civil Rights Division, to enable an individual to ask a Federal court for an injunction to protect his voting rights, and to give the Department of Justice authority to intervene—but with the practical certainty that nothing thereafter will happen—to protect individuals against unlawful deprivation of their voting rights.

It seemed yesterday that the House would not and consistently could not agree with what the Senate has done to this bill. If this theory is correct, the 15th amendment will remain where it has been for two generations or so, gathering dust on the shelves. We do not believe this will be good for the South, or for the internal affairs of the United States, or for our place in the world. For, in the interests of our own security, we need the friendship of nations largely populated by people whose skins are not as white as those of the men who voted early Friday morning for the jury-trial amendment to the civil-rights bill.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that an editorial which appeared in the Christian Science Monitor for Wednesday, June 12, 1957, be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 12, 1957]

CIVIL RIGHTS AND JURY TRIALS

More than 80 years ago the 15th amendment declared:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account

of race, color, or previous condition of servitude."

It was widely assumed that this insured the franchise for Negroes. It did not. For many States set up literacy and other tests which excluded most of the Negroes.

When fairly applied these were not discriminatory on a racial basis. Also there is much to be said for protecting the ballot box from being swamped by ignorance. But there have been increasing complaints that Negroes were being kept from the polls by intimidation or by unfair practices of election officials.

Before the last election there were repeated and specific charges that registration lists were being purged of Negro voters. The Justice Department, finding that efforts to deal with such violations of the 15th amendment after the event were ineffective, has proposed that it be permitted to proceed by the injunction process to prevent denial of rights. It is part of the Eisenhower civil-rights program now in Congress.

The procedure proposed is the same as that regularly used to enforce antitrust laws and to safeguard atomic secrets. It permits the granting of a temporary restraining order or injunction. Before a permanent order can be obtained hearings must be held with full opportunity for the presentation of evidence and cross-examination of witnesses. But if an individual disobeys the court decision then reached, he can be punished for contempt.

Opponents of civil-rights legislation have raised the objection that this procedure denies the right of trial by jury. In the Senate an amendment providing for jury trial in place of the contempt proceedings has been attached to the bill. Advocates of the legislation declare this is simply a device for nullifying it. They contend that jury trials would permit delays that would deny effective remedies against the denial of the right to vote. And there is wide belief that juries would repeat the history of the Emmett Till case.

Now the right to trial by jury is one Americans cherish and should vigorously safeguard. But it is not provided in the Constitution for this type of litigation. The States whose Representatives are pressing for a jury-trial amendment make no such provision themselves in the same type of court action. There is even some question whether it would be constitutional to deprive the courts of power to protect themselves by contempt action—as Congress protects itself. The ends of justice would not be served if in an effort to insure a jury trial for individuals who had flouted a court order both the authority of the courts and the right to vote were destroyed.

Continued nullification of the 15th amendment either by the arbitrary action of local officials or intimidation by majority groups, can evoke drastic remedies. Those objecting to the present civil-rights program might have cause to complain if Congress provided for criminal suits and a change of venue to take cases out of areas where a fair trial could not be expected—or if Federal troops were sent in to enforce court orders. But the current proposals are not of that type.

We trust that misconceptions on that score will not lead to resistance that could evoke demands for something far stiffer.

ANTIBARRATRY LAWS

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD an editorial from the New York Post for Monday, July 22, appraising the development of the antibarratry laws in 5 Southern States, which make it almost impossible for outside friends to come to the assistance of those carrying on civil-rights legal fights in the South.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Post of Monday, July 22, 1957]

TRICKS OF THE TRADE

During the course of the Senate debate on civil rights last week some highly interesting material was read into the CONGRESSIONAL RECORD by Senator DOUGLAS, Democrat, of Illinois. It received little attention in the press, though it has an important bearing on why liberal forces are holding out against compromise with the South.

The subject was barratry. According to Webster's Unabridged, barratry, in law, is the "practice of exciting and encouraging or maintaining lawsuits or quarrels; persistent incitement of litigation."

Using this as a cover, five Southern States within the last year or two have passed antibarratry laws whose purpose and effect is to hamstring the efforts of such organizations as the NAACP to protect the civil rights of individual Negroes. These States are Georgia, Mississippi, South Carolina, Virginia, and Tennessee. Alabama is preparing a similar law.

Senator DOUGLAS read into the record the various State statutes along with some interpretive paragraph from a pamphlet called An Assault Upon Freedom of Association, prepared by the American Jewish Congress.

What these laws do is to raise so many obstacles to outside assistance that in the State of Virginia, for example, anyone who takes up a collection to pay the legal expenses of a plaintiff in a suit first has to register with the State and give all sorts of detailed information which could easily be used to make things tough for him.

Moreover, any lawyer who took the case and received payment from funds so collected or from persons not connected by blood or by direct pecuniary interest in the case could be found guilty of barratry and be disbarred.

This, obviously, leaves most Negroes who might want to make a fight for their rights dependent entirely on their own financial resources, and in the South this isn't likely to be much.

No wonder the southern Senators oppose a civil-rights bill that would permit the Attorney General to institute action for those whose rights are in danger.

The South has succeeded in blocking the rescue work of the NAACP and is now seeking to block the rescue plans of the Government. When the southern Senators get everything blocked off and have the Negroes isolated from legal aid, they'll be ready to buy the civil-rights law.

This is an example of what they mean by compromise. And this is what some confused supporters of civil rights think is reasonable. We don't.

POTOMAC RIVER CROSSING

Mr. BIBLE. Mr. President, on Thursday and Friday of last week, the House of Representatives once again debated the question as to the type of crossing that should be constructed across the Potomac River in the vicinity of Constitution Avenue. The House Committee on the District of Columbia favorably reported a tunnel bill. The CONGRESSIONAL RECORD for Friday, August 2, 1957, shows that, by a vote of 225 to 107, an amendment was adopted substituting a bridge for a tunnel; then a motion to recommit was agreed to.

Since the Senate has considered the matter in the 83d, 84th, and 85th Congresses, and bearing in mind the latest House action, it is apparent to me that it is now an appropriate time to urge the District of Columbia Commissioners to reexamine the problem. Under existing law, Public Law 704 of the 83d Congress, the Commissioners are authorized to construct, maintain, and operate a low-level bridge over the Potomac River from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such bridge to be constructed north of the Memorial Bridge and south of the southern portion of Theodore Roosevelt Island. Under authority contained in the act, the District submitted to and received the approval of its plans for the construction of a six-lane fixed-span bridge across the navigable channel by the Chief of Engineers and the Secretary of the Army.

The distance from the present Memorial Bridge to that authorized in said Public Law 704 is as follows:

District of Columbia side, 1,350 feet; center line, 1,270 feet; Virginia side, 1,300 feet.

The distance from the presently authorized bridge to that proposed in S. 1707, which was considered earlier this year, is as follows:

	Feet
District of Columbia side	550
Center line	930
Virginia side	1,200

These distances are pointed out to show that in regard to location the question reduced itself to whether or not the island should be crossed, and that there is no great difference in existing law and other bridge proposals as to distances from Memorial Bridge.

While I wish to emphasize that I am now expressing my individual views on the problem, I am advised that the Commissioners would be quite happy to receive an indication from Congress to proceed under existing law. As a matter of fact, Congress on a fiscal year basis, has appropriated the following sums for this project:

1955	$200,000
1956	1,500,000
1957	3,000,000
1958	350,000
Total	5,050,000

Of this total amount appropriated, only about $50,000 has been expended for consultant service.

The above-quoted figures need further explanation because of the delay in commencing the construction of the bridge. Of the total amount appropriated, only $350,000 has been retained by the District government, which represents 10 percent of its share, and there is available from Federal aid $3,150,000—interstate allocation—which means there is presently available to the District government $3,500,000 toward the construction of the bridge. The previous appropriations have now been authorized to be used on other projects within the District of Columbia.

The District of Columbia government has the money and the authority to proceed with the bridge, and to do so would

eliminate the fixed versus drawspan controversy that has plagued both Houses for several years. It would also solve the same dispute as to what type span should be constructed in the 14th Street replacement bridge.

It is my hope that in view of the recent Congressional action on this matter, that the District officials will proceed at once to make a reexamination of all the factors, bearing in mind the authority contained in existing law.

Traffic conditions alone dictate that a bridge is needed now, without further delay.

Mr. ALLOTT. Mr. President, before the Senator from Nevada [Mr. BIBLE] leaves the floor, I should like to associate myself with what I believe to be the consensus of his remarks.

For a long time now Congress has been considering some means of crossing the Potomac River in addition to the means now available. Unless Congress faces up to this issue, no more progress will be made to provide an additional crossing than that indicated by the proverbial picture of George Washington standing in the stern of a boat.

I have been a member of the District of Columbia Committee for 2 years, and I was very happy to associate myself and to study this matter with my distinguished colleague, the Senator from Nevada. I also have the honor to serve as a member of the National Monument Commission, and as such have up to the present time been very much interested in securing the passage of a bill which would enable a tunnel to be built under the Potomac River.

I wish to make this statement at this time: I have come to the conclusion the tunnel is no longer a feasible project; first, because it will cost substantial millions of dollars more than a bridge; and, second, because the largest tunnel which can be built is a four-lane tunnel, which I do not believe will be adequate for future needs. As a matter of fact, a tunnel would be obsolete when built.

As a member of the National Monument Commission, I am torn between two loyalties. I want to see all possible land preserved upon the west side of the Potomac River for the creation of what I hope some day will be a great monument to the five freedoms erected by the American people. However, I join with my colleague from Nevada in saying it is time for Congress to act, and that we should start to build, and build quickly a low-level bridge across the Potomac River to ease the traffic burdens and the dangers which accompany them in this city and in Virginia.

Mr. BIBLE. Mr. President, I appreciate the expression of the sentiments of my good and distinguished friend, the Senator from Colorado. I believe the RECORD is abundantly clear that an act now on the books authorizes the construction of a fixed-span bridge at the proposed location. I again urge that the bridge be built without further delay.

LAST CHANCE ON BILLBOARDS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the Washington Post and Times-Herald editorial page of August 4, 1957, entitled "Last Chance on Billboards."

This editorial urges early action by the Senate on S. 963, my bill to control signboards along the new Interstate Highway System. In this connection, I am pleased to report that the distinguished chairman of the Senate Committee on Public Works [Mr. CHAVEZ] has just called a meeting of our committee for Friday, August 9, to consider the report of the Roads and Highways Subcommittee under the distinguished junior Senator from Tennessee [Mr. GORE]. That report deals with S. 963, and signboard-control legislation.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LAST CHANCE ON BILLBOARDS

The Senate Public Works Committee has a last chance to redeem itself on the billboard issue in this session of Congress. The Public Roads Subcommittee meets the first of next week and the full committee a few days later, affording ample opportunity for reconsideration of the badly watered-down legislation designed to prevent an unconscionable cluttering up of the new 41,000-mile Interstate Highway System.

As it stands, States would be offered so slight an inducement to meet proposed Federal standards regulating these roadside nuisances that the legislation might be altogether ineffective. The inducement ought to be made more attractive, or outright prohibitions against excessive roadside abuses enacted.

In addition, the bill will stand no chance whatever in the full Senate or the House so long as it is linked with the 7,000-mile expansion of the interstate network proposed by Senator CASE of South Dakota. If the Senator is insistent upon going against the advice of the Bureau of Public Roads on this point and wants to try to revise the whole interstate program before it is barely under way, let him have his fun on his own. The billboard-control bill is a separate question and faces enough difficulties without being encumbered by altogether unnecessary diversion.

POSTAL AND FEDERAL EMPLOYEES PAY BILLS

Mr. YARBOROUGH. Mr. President, I have been shocked to read a report published in the newspapers in the past few days to the effect that the junior Senator from Kansas [Mr. CARLSON] has predicted the President will veto any postal pay raise bill. I predict that the postal pay raise bill will pass the Congress, and I call on the President of the United States to sign the measure into law. The President should sign it out of a sense of justice and fairness, as well as for efficiency in the postal service.

Mr. President, I hope the bill for the general Federal employee pay raise will pass also, and it should likewise be signed into law.

It is inconceivable that we should keep the postmen trapped in a low, fixed income during this runaway Republican inflation. This administration has felt no qualms about raising the interest rates, to give the moneylenders even bigger profits. Since the administration has seen fit to raise the interest rates for the big money, it should raise the postal pay for the workers of the Government. Surely the postmen who are walking the rounds these blistering hot August days, with 35-pound packs on their backs and snapping dogs at their heels, deserve a raise as much as the moneylenders, who are beneficiaries of the higher interest rates.

I wish to take exception to the statement attributed to the junior Senator from Kansas, that the Democrats in Congress are pushing the postal pay bill in an effort to embarrass the President. This charge is unfair to Congress. The postal pay bill is being given consideration because of a sense of justice to postal employees, and the other Federal pay bill is being pushed because of a sense of justice to all Federal employees. To say these bills are being urged in an endeavor to embarrass the President is to attribute base motives to a high-minded drive to better conditions for loyal Government employees.

I think the President is interested in the people who work for the Government having shelter over their heads, clothes on their backs, food to eat, and their children in school. If he is, he will sign the postal pay bill and the Government employees pay bill. Biscuits are as important as golf balls in our economy.

Congress has cut the proposed budget $3½ billion, the pay raises can be granted without upsetting the tax structure.

I wish to state again that the present Presiding Officer, the distinguished Senator from Oregon [Mr. NEUBERGER], has had a notable part in this proposed legislation, as chairman of the subcommittee having charge of the measures, and has helped a great deal to have the pay bills reported from the Post Office and Civil Service Committee. I commend him and the entire committee, and again express the hope that the bills will be passed, I hope this week, and that they will be signed by the President as an evidence of the interest of the administration in the welfare of all people, and to indicate that it is not interested alone in the welfare of the big money lenders.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there further morning business? If not, morning business is closed.

EXECUTIVE SESSION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary.

James L. Guilmartin, of Florida, to be United States attorney for the southern district of Florida.

The PRESIDING OFFICER. If there be no further reports of committees, the Executive Calendar is in order.

TREATIES PASSED OVER

Mr. BIBLE. Mr. President, I ask unanimous consent that the treaties on the Executive Calendar be passed over.

The PRESIDING OFFICER. Without objection, the treaties will be passed over.

UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

Mr. BIBLE. I ask that the nominations of United States attorneys be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. BIBLE. I ask unanimous consent that the nominations of the United States marshals be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

SECURITIES AND EXCHANGE COMMISSION

The Chief Clerk read the nomination of Edward N. Gadsby to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL DEPOSIT INSURANCE CORPORATION

The Chief Clerk read the nomination of Erle Cocke, Sr., to be a member of the Board of Directors of the Federal Deposit Insurance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

INTERNATIONAL MONETARY FUND

The Chief Clerk read the nomination of Frank A. Southard, Jr., to be United States Executive Director of the International Monetary Fund.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE—ROUTINE APPOINTMENTS

The Chief Clerk proceeded to read sundry nominations for routine appointments in the Diplomatic and Foreign Service.

Mr. BIBLE. I ask unanimous consent that the routine nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the routine nominations in the Diplomatic and Foreign Service are confirmed en bloc.

DEPARTMENT OF COMMERCE

The Chief Clerk read the nomination of Henry Kearns to be Assistant Secretary of Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of Charles Pierce to be Assistant Director of the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

MISSISSIPPI RIVER COMMISSION

The Chief Clerk read the nomination of Brig. Gen. William A. Carter (colonel, Corps of Engineers) to be a member and president of the Mississippi River Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE—FOREIGN SERVICE OFFICERS

The Chief Clerk proceeded to read sundry nominations of Foreign Service officers in the Diplomatic and Foreign Service.

Mr. BIBLE. I ask that the nominations of Foreign Service officers in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES JUDGES

The Chief Clerk proceeded to read sundry nominations of United States judges.

Mr. BIBLE. I ask that the nominations of United States judges be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

COLLECTORS OF CUSTOMS

The Chief Clerk proceeded to read sundry nominations of collectors of customs.

Mr. BIBLE. I ask unanimous consent that the nominations of collectors of customs be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. BIBLE. Mr. President, I ask unanimous consent that the nominations of postmaster, beginning on page 7 of the Executive Calendar and extending to page 13, be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. CHAVEZ. Mr. President, I am very happy that the Senate has confirmed the nomination of Margaret U. Lucero to be postmaster at Los Alamos, N. Mex., where the activities of the Atomic Energy Commission are centered. People do not come any nicer than Margaret Lucero. There is only one handicap; she is a Republican. [Laughter.]

THE ARMY—CHIEF, NATIONAL GUARD BUREAU

The Chief Clerk read the nomination of Maj. Gen. Edgar Carl Erickson, to be Chief of the National Guard Bureau.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES AIR FORCE—TEMPORARY APPOINTMENTS

The Chief Clerk proceeded to read sundry nominations for temporary appointment in the United States Air Force.

Mr. BIBLE. Mr. President, I ask unanimous consent that the nominations for temporary appointment in the United States Air Force be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE NAVY

The Chief Clerk read the nomination of Adm. Arthur W. Radford, to be an admiral on the retired list of the Navy.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry further nominations in the Diplomatic and Foreign Service.

Mr. BIBLE. I ask unanimous consent that the further nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The Chief Clerk read the nomination of Charles R. Ferguson to be a member of the Federal Coal Mine Safety Board of Review.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. BIBLE. I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

FEDERAL COMMUNICATIONS COMMISSION

The Chief Clerk read the nomination of Frederick W. Ford to be a member of the Federal Communications Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of Fred C. Scribner, Jr., to be Under Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Edwin A. Leland, Jr., to be Comptroller of Customs, with headquarters at New Orleans, La.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The Chief Clerk proceeded to read sundry further nominations of collectors of customs.

Mr. BIBLE. I ask unanimous consent that the further nominations of collectors of customs be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Alfred A. Arraj to be United States district judge for the District of Colorado.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry further nominations of United States attorneys.

Mr. BIBLE. I ask unanimous consent that the further nominations of United States attorneys be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry further nominations of United States marshals.

Mr. BIBLE. I ask unanimous consent that the further nominations of United States marshals be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTER NOMINATION PASSED OVER

The Chief Clerk read the nomination of Victor R. Milligan to be postmaster at Ketchikan, Alaska.

Mr. BIBLE. Mr. President, I ask that the nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

The Chief Clerk proceeded to read sundry further nominations of postmasters.

Mr. BIBLE. I ask unanimous consent that the further nominations of postmasters, with the exception of the one passed over, be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE ARMY

The Chief Clerk proceeded to read sundry nominations of officers to be placed on the retired list.

Mr. BIBLE. Mr. President, I ask unanimous consent that the nominations of officers to be placed on the retired list of the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

The Chief Clerk proceeded to read sundry nominations of officers for temporary appointment in the Army of the United States.

Mr. BIBLE. I ask unanimous consent that the nominations of officers for temporary appointment in the Army of the United States be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

The Chief Clerk proceeded to read sundry nominations of officers for promotion as Reserve commissioned officers of the Army.

Mr. BIBLE. I ask unanimous consent that the nominations of officers for promotion as Reserve commissioned ofcers of the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

The Chief Clerk read the nomination of Maj. Gen. Francis William Billado to be a major general in the Reserve of the Army.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE AIR FORCE

The Chief Clerk proceeded to read sundry nominations of officers to be placed on the retired list in the Air Force.

Mr. BIBLE. I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

FEDERAL POWER COMMISSION—NOMINATION PASSED OVER

The Chief Clerk read the nomination of Jerome K. Kuykendall to be a member of the Federal Power Commission.

Mr. BIBLE. Mr. President, I ask that the nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

NOMINATIONS IN THE ARMED SERVICES, ON THE VICE PRESIDENT'S DESK—FIRST GROUP

The Chief Clerk proceeded to read sundry nominations in the armed services which had been placed on the Vice President's desk.

Mr. BIBLE. I ask that the nominations in this group, which are on the Vice President's desk, be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

SECOND GROUP OF ARMY NOMINATIONS ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations for appointment or reappointment in the Regular Army which had been placed on the Vice President's desk.

Mr. BIBLE. I ask unanimous consent that this group of nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BIBLE. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. BIBLE. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, commencing with Order No. 11.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Is there objection?

Mr. McNAMARA. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will proceed with the call of the calendar.

BILLS PASSED OVER

Mr. CLARK. Mr. President, I ask that all bills and resolutions beginning with Calendar No. 11 through Calendar No. 302 be passed over.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bills and resolutions passed over are as follows:

Senate Concurrent Resolution 2, to create a joint Congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President.

Senate Resolution 24, to amend rule XIV of the Standing Rules of the Senate.

S. 913, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations and for other purposes.

H. R. 4815, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes.

Senate Concurrent Resolution 20, authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce.

S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

S. 728, to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate.

S. 1164, to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes.

S. 1639, to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act.

S. 864, to provide for the transfer of certain lands to the State of Minnesota.

S. 2051, to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 377) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act was announced as next in order.

Mr. BARRETT. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees was announced as next in order.

Mr. BARRETT. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government and for other purposes was announced as next in order.

Mr. BARRETT. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1873) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 28) to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

RELIEF OF CERTAIN ALIENS—BILL RECOMMITTED TO COMMITTEE ON THE JUDICIARY

The bill (S. 1310) for the relief of certain aliens was announced as next in order.

Mr. EASTLAND. Mr. President, on June 10, 1957, Senate bill 1310 was reported favorably by the Committee on the Judiciary and was placed on the calendar. Subsequent to this action, information was received that an administrative remedy appears to be available. I ask unanimous consent that Senate bill 1310 be recommitted to the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection to recommittal of the bill? The Chair hears none, and it is so ordered.

BILLS PASSED OVER

The bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas by raising the maximum amount in which direct loans may be made, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 98) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States was announced as next in order.

The PRESIDING OFFICER. H. R. 6127 is the unfinished business, and will be passed over.

The bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes, was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 807) for the relief of Jackson School Township, Indiana, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes was announced as next in order.

Mr. CLARK. Over.

The PRESIDENT OFFICER. The bill will be passed over.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 322) for the relief of certain aliens was announced as next in order.

Mr. ALLOTT. Over.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. ALLOTT subsequently said: Mr. President, I ask unanimous consent that the Senate return to Calendar No. 572, House Joint Resolution 322, and proceed with its consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

There being no objection, the joint resolution (H. J. Res. 322) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power on train brakes was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4830) to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1869) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2150) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

INSPECTION AND CERTIFICATION OF CERTAIN VESSELS

The bill (S. 1866) to amend the act entitled "An act to require the inspection and certification of certain vessels" in order to provide adequate time for the formulation of rules and regulations to be prescribed under such act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, is amended by striking out "January 1, 1957" and inserting in lieu thereof "January 1, 1959."

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 40) favoring the suspension of deportation in the cases of certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-1750750, Ali, Mohamid.
A-6678456, Alvear, Leonicia Garcia De.
A-9764546, Baizer, Herbert Paul.
A-5554927, Bliznakoff, Vasil.
A-3124105, Cassimis, John.
A-5886946, Cho, Tse.
A-8057140, Chu, Lek.
A-10255258, Chu, Li Yih Ai.
A-5993801, Li, Sue Ling.
A-10255250, Li, Sue Loo.
A-10255047, Li, Ruth Wu.
A-5531810, Darmanin, John.
A-6921218, Epstein, Zofia.
A-6958010, Escobar-Gonzalez, Victor Manuel.
A-9527785, Fong, Wong.
A-3049549, Gama-Reyes, Manuel.
A-4590908, Glick, Adolf.
A-1432407, Hahn, Soon Kyo.
0900-57150, Hahn, Tai Chin.
A-4359142, Herrara-Jiminez, Samuel.
A-9726671, Hidick, Massoad Abdul.
A-7356652, Hroncich, Leonardo.
A-2678095, Hsu, Rose Fung.
A-3667758, Kepraios, Stavros Stelianos.
A-1551550, Khan, Ali.
A-10255537, Kwan, Kwang Pei.
A-3209149, Lee, Poo.
A-8259493, Liadis, Panagiotis Dimitriou.
A-8189299, Liu, Tsong Won.
A-5449221, Lottrup, Jorgen S.
A-9770877, Mahmoud, Mohamed.
A-4043565, Maillet, Andre Pierre.
A-5148487, Mann, Mina.
A-1121179, Messina, Stellario G.
A-9709248, Nam, Tsu Hau.
A-4421186, Napoli, Michael.
A-9511407, On, Lee.
A-6242520, Ortiz-Zamorano, Rosendo.
A-4067578, Papagiarnis, John.
A-10139255, Rodriguez, Camelia Dreyfous.
A-10255544, Rodriguez, Manuel Joaquim.
A-4543718, Aurin, Dietrich.
A-7544210, Chu, Chen-Fu.
A-5970130, Contreras, Pablo.
A-7301220, Epstein, Zalman.
A-7866953, Herrera-Melquiades, Adalberto.
A-4962216, Gonzales, Eluteria.
A-9647371, Jung, Kai.
A-9654171, Lefas, Zacharias.
A-1961443, Roknich, Daniel.
A-9777001, Ryan, Michael.
A-6062026, Salazar-Gallegos, Roberto.
A-3429897, Sanchez-Poveda, Candido.
A-1177218, Secondo, Michele.
A-5877615, Sztulman, Berek.
A-9777191, Trillo, Manuel.
A-6933837, Tsai, Juin-Ping.
A-10139010, Tsai, Shuenn, Jeou.
A-8890267, Vasquez, Carlos.
A-10060080, Way, Tow.
A-10236971, Wing, Chin.
A-6708345, Wood, Jim Varley.
A-7388556, Yong, Sun Shin.
A-6817533, Greenhalgh, Richard James.
A-1239918, Kouyios, Nikitas.
A-6733979, Gerber, Golda.

JOSE RAMIREZ-MORENO

The bill (S. 441) for the relief of Jose Ramirez-Moreno was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Jose Ramirez-Moreno. From and after the date of enactment of this act, the said Jose Ramirez-Moreno shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

MILENKO KRNJAJICH

The bill (S. 1365) for the relief of Milenko Krnjajich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Milenko Krnjajich, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Joseph Krnjajich, citizens of the United States.

SEC. 2. Notwithstanding the provisions of paragraph (25) of section 212 (a) of the Immigration and Nationality Act, Milenko Krnjajich may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

NICHOLAS DILLES

The bill (S. 1815) for the relief of Nicholas Dilles was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Nicholas Dilles shall be held and considered to be the natural-born alien son of Mr. and Mrs. Louis Dilles, citizens of the United States.

MARIA WEST

The bill (S. 1896) for the relief of Maria West was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria West, shall be held and considered to be the natural-born alien child of Victor L. West, Jr., and Callie S. West, citizens of the United States.

STAVROS GEORGAS

The Senate proceeded to consider the bill (S. 1227) for the relief of Stavros Georgas, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 4, after the name "Georgas", to strike out the comma and "who was a survivor of a marine disaster which occurred on the Atlantic Ocean and who was rescued and left in the United States by a Swedish vessel,", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Stavros Georgas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WANDA WAWRZYCZEK

The Senate proceeded to consider the bill (S. 1370) for the relief of Wanda Wawrzyczek, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "act", to strike out the comma and "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.", so as to make the bill read:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Wanda Wawrzyczek shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EILEEN SHEILA DHANDA

The Senate proceeded to consider the bill (S. 1767) for the relief of Eileen Sheila Dhanda, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "fee", to insert a colon and "*Provided*, That, if applicable, the conditions required by section 247 (b) of the Immigration and Nationality Act are complied with.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eileen Sheila Dhanda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That, if applicable, the conditions required by section 247 (b) of the Immigration and Nationality Act are complied with. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. JYTTE STAREL SYNODIS

The Senate proceeded to consider the bill (S. 2009) for the relief of Mrs. Jytte Starel Synodis, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Jytte Starel Synodis may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN KOREAN WAR ORPHANS

The Senate proceeded to consider the bill (S. 366) for the relief of certain Korean war orphans, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Kim Yung Bok (Peter Garner) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Kim Kil Won (Michael Garner) shall be deemed to be the normal-born alien child of Mr. and Mrs. Murl Garner, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Kim Yung Bok (Peter Garner) and Kim Kil Won (Michael Garner)."

REBECCA JEAN LUNDY

The Senate proceeded to consider the bill (S. 1387) for the relief of Rebecca Jean Lundy, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "be", to insert "issued a visa and be", and, in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare,", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Rebecca Jean Lundy (Helen Choy) may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Rebecca Jean Lundy (Helen Choy) in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusions under paragraph (6) of section 212 (a) of such act known to the Secretary of State or to the Attorney General prior to the date of enactment of this act.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Rebecca Jean Lundy (Helen Choy) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Eli Lundy, citizens of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SIC GUN CHAU (TSE) AND HING MAN CHAU

The Senate proceeded to consider the bill (S. 1685) for the relief of Sic Gun Chau (Tse) and Hing Man Chau, which had been reported from the Committee on the Juidiciary with amendments on page 1, line 7, after the word "be", to insert "issued visas and be", and, in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare,", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Sic Gun Chau (Tse) and Hing Man Chau may, if they are found to be otherwise admissible under the provisions of such act, be issued visas and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Sic Gun Chau (Tse) and Hing Man Chau in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSA SIGL

The Senate proceeded to consider the bill (S. 1736) for the relief of Rosa Sigl, which had been reported from the Committee on the Judiciary with amendments on page 1, at the beginning of line 5, to insert "issued a visa and be"; in line 9, after the word "Justice," to strike out "have" and insert "has", and, in line 10, after the word "act," to insert a colon and "*And provided further*, That the marriage to her United States citizen fiance, Sgt. Dewey Kocherhans, shall occur not later than 6 months following the date of the enactment of this act."; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Rosa Sigl may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That the marriage to her United States citizen fiance, Sgt. Dewey Kocherhans, shall occur not later than 6 months following the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 323) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after "SEC. 3.", to strike out "For the purposes of the Immigration and Nationality Act, Sofia Kavadias shall be deemed to be a nonquota immigrant" and insert "For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Sofia Kavadias shall be held and considered to be the natural-born alien child of Mr. and Mrs. Georgios Kavadias, lawful permanent residents of the United States."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time, and passed.

REMOVAL OF TIMBER FROM LANDS ACQUIRED BY THE UNITED STATES

The bill (H. R. 7522) to authorize the extension of certain rights to remove timber from lands acquired by the United States was considered, ordered to a third reading, read the third time, and passed.

JOHN J. FARRELLY

The Senate proceeded to consider the bill (H. R. 5341) for the relief of John J. Farrelly, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 4, after the name "Missouri", to insert "or his assignees"; in line 9, after the figures "053934", to strike out "057169,", and, in line 11, after the word "act", to insert "but no extension shall be granted by this act with respect to any lease on which rental payments due on the date of approval of this act are not paid within 90 days thereafter."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PARTICIPATION BY THE UNITED STATES IN THE INTERPARLIAMENTARY UNION

The bill (S. 2515) to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of June 28, 1935, as amended (49 Stat. 425; 22 U. S. C. 276) is hereby amended to read as follows: "An appropriation of $33,000 annually is hereby authorized, $18,000 of which shall be for the annual contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of international arbitration; and $15,000, or so much thereof as may be necessary, to assist in meeting the expenses of the American group of the Interparliamentary Union for each fiscal year for which an appropriation is made, such appropriation to be disbursed on vouchers to be approved by the President and the executive secretary of the American group."

AMENDMENT OF DISTRICT OF COLUMBIA HOSPITAL CENTER ACT—BILL PASSED OVER

The bill (S. 1908) to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations under such act, was announced as next in order.

Mr. CHAVEZ. Over.

The PRESIDING OFFICER. The bill will be passed over.

INTERNATIONAL COUNCIL OF SCIENTIFIC UNIONS

The Senate proceeded to consider the joint resolution (S. J. Res. 85) to amend the act of Congress approved August 7, 1935, covering United States contributions to the International Council of Scientific Unions and certain associated unions, which had been reported from the Committee on Foreign Relations with an amendment in line 3, after the word "Law", to strike out "255" and insert "253", so as to make the joint resolution read:

Resolved, etc., That Public Law 253, 74th Congress, is hereby amended by striking out the figure "$9,000" in the section dealing with the International Council of Scientific Unions and inserting in lieu thereof the figure "$65,000."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

RIO GRANDE REHABILITATION PROJECT, TEXAS—BILL PASSED OVER

The bill (S. 2120) to authorize the Secretary of the Interior to construct, rehabilitate, operate and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

APPOINTMENT OF MEMBERS OF THE SENATE TO ATTEND MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

The resolution (S. Res. 160) authorizing the appointment of four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India was considered and agreed to, as follows:

Resolved, That the Vice President is authorized to appoint four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association, and to designate the chairman of the delegation. The expenses incurred by the members of the delegation and staff appointed for the purpose of carrying out this resolution shall not exceed $15,000 and shall be reimbursed to them from the contingent fund of the Senate upon submission of vouchers approved by the chairman of the delegation.

MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION IN INDIA

The concurrent resolution (S. Con. Res. 36) authorizing the appointment of 4 Members each of the 2 Houses to attend general meeting of the Commonwealth Parliamentary Association to be held in India was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint 4 Members of the Senate and 4 Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association and to designate the chairmen of the delegations from each of the Houses to be present at such a meeting. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $15,000 for each delegation and shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

INCREASE OF FEES CHARGED ON TRANSACTIONS ON NATIONALLY RECOGNIZED EXCHANGES—BILL PASSED OVER

The bill (S. 2520) to amend section 31 of the Securities and Exchange Act of 1934, was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

NEWPORT IRRIGATION DISTRICT, NEBRASKA

The bill (H. R. 3071) to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Newport Irrigation District, Nebraska, was considered, ordered to a third reading, read the third time, and passed.

RESEARCH PROGRAM IN CLOUD MODIFICATION

The Senate proceeded to consider the bill (S. 86) to provide for an experimental research program in cloud modification, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

The National Science Foundation is authorized and directed to initiate and support a program of study, research, and evaluation in the field of weather modification, giving particular attention to areas that have experienced floods, drought, hail, lightning, fog, tornadoes, or other weather phenomena, and to report annually to the President and the Congress thereon. In conducting such studies, the Foundation shall consult with meteorologists and scientists in private life and with agencies of Government interested in, or affected by, experimental research in the field of weather control. Research programs to carry out the purposes of this act by the National Science Foundation, and by other Government agencies or departments, may be accomplished through contract with, or grants to, private or public institutions or agencies, including but not limited to cooperative programs with any State through such instrumentalities as may be designated by the governor of such State.

SEC. 2. For the purposes of this act, the Foundation is authorized to accept as a gift, money, material, or services: *Provided*, That any such gift may, if the donor so specifies, be restricted or limited for use in connection with certain projects or area. Other agencies of the Government are authorized to loan, without reimbursement, and the Foundation is authorized to receive, such property and personnel as may be deemed useful, with

the approval of the Director of the Bureau of the Budget. In addition to the authority contained herein, the National Science Foundation, for the purposes of this act, may utilize any of the powers granted by the National Science Foundation Act of 1950 (42 U. S. C. 1861–1875).

SEC. 3. The Advisory Committee on Weather Control is abolished effective December 31, 1957, and its functions, duties, and records and any unexpended funds are transferred to the National Science Foundation and there is authorized to be appropriated to the National Science Foundation such amounts as are necessary to carry out the purposes of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to provide for a research program in the field of weather modification to be conducted by the National Science Foundation, and for other purposes."

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may place at this point in the RECORD a statement relative to the bill just passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FRANCIS CASE OF SOUTH DAKOTA

Mr. President, this bill authorizes the National Science Foundation to complete the evaluation work of the Advisory Committee on Weather Control and to undertake an orderly research program in weather modification.

As I had introduced the bill, the program would have been carried on by the advisory committee. The majority of the Federal agencies concerned with potentialities of the program, however, recommended that the research program be assigned to the agency which now coordinates and conducts governmental research—the National Science Foundation. The Chairman of the Advisory Committee, Capt. Howard Orville, concurred in this thought, and the bill was appropriately amended.

The possible importance of this bill to the Nation is tremendous. We spend hundreds of millions of dollars to counteract and alleviate weather-caused disasters. Individuals and businesses spend and suffer even more.

To give some idea of the possibilities of cloud modification, I quote these sentences from a statement issued by the Council of the American Meteorological Society on April 30, 1957:

"1. The seeding of a supercooled cloud with dry ice will usually convert at least a portion of the cloud to ice crystals. Under appropriate conditions, such seeding may release variable amounts of precipitation. * * * Holes or valleys may be produced in supercooled clouds or supercooled fogs by seeding them with dry ice.

"2. The injection of water drops or hydroscopic salt particles into active, warm (non-supercooled) cumulus clouds may release some rain. * * *

"3. In some cases warm fog and stratus may be dissipated in restricted regions by the use of certain hygroscopic materials.

"4. At temperatures below about −5° centigrade silver iodide crystals are known to affect supercooled clouds in much the same way as dry ice. * * *

"5. Cloud seeding acts only to trigger the release of precipitation from existing clouds. * * *

"6. No convincing evidence has been presented which indicates that ground-based silver iodide seeding affects the amount or character of precipitation over flat country. (Mountain country is different.)

"7. * * *

"8. * * *

"9. All cloud-seeding operations should be considered as experiments since the techniques are still under development and there is no sound basis for the quantitative estimation of the results in advance of the operation. * * * There is good reason to believe that improved returns from cloud seeding will result from a sound experimental approach and this should be fostered by all concerned."

This bill, S. 86, Mr. President, is designed to provide that "sound experimental approach" which the American Meteorological Society states "should be fostered by all concerned."

It is the result of extensive hearings and careful deliberation by the Senate Committee on Interstate and Foreign Commerce.

I urge all those interested to get a copy of Report No. 607, on this bill, S. 86, and a copy of the hearings if they have not been exhausted.

When a great deal of today's legislation has been passed and forgotten, it is my earnest conviction that what this Congress does to authorize this orderly experimentation and evaluation of efforts in cloud modification will have lasting significance for conditions of fog, smog, drought, floods, and hurricanes. What this would mean for the welfare of agriculture, commerce, industry, defense, and other material and human concerns is beyond our power today to estimate. I thank the Committee and all who have helped in consideration and passage of the bill.

MINING CLAIMS ON FEDERAL LANDS

The bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor was announced as next in order.

Mr. BARRETT. Mr. President, reserving the right to object, may we have an explanation of the bill.

Mr. BIBLE. The purpose of the bill is to broaden the type of labor that can be considered for the performance of the annual assessment work on mining claims. Great advances have been made in modern-day mineral exploration through geophysical and geochemical means. My bill, S. 2039, would give recognition to these scientific advances by permitting their use to be considered as labor, for the fulfillment of the annual assessment work on mining claims. Geophysical and geochemical explorations are now on a scientific basis and are well established and well recognized in the mining world.

It is not contemplated that the new type of work be used to supplant the historic requirement for a bona fide discovery. A discovery of a mineral of such quantity and quality as to warrant its development by a prudent man would still be necessary for the location of mining claims if S. 2039 becomes law. A bona fide discovery of that nature is inherent in our mining law, and this requirement would not be changed by the measure under discussion. The bill goes only to the requirement that at least $100 worth of labor and materials must be expended annually in the development of a mining claim, once a discovery has been made, in order that the locator may maintain property rights in it. The measure was introduced and was reported by the Committee on Interior and Insular Affairs solely for the purpose of taking into account modern-day methods of proving up mining claims.

Mr. BARRETT. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am delighted to yield.

Mr. BARRETT. I do not intend to object to consideration of the bill. But my attention has been called to the fact that there is no definition in the bill of what constitutes the geophysical work or the geological work which may be done in order to comply with the law under this measure. Perhaps the House committee in its report may outline precisely what type of work is intended to be included.

Mr. BIBLE. Mr. President, I think the suggestion of the Senator from Wyoming is a good one. In my bill, no attempt was made to spell out precise definitions of those terms, because they are so well recognized in the mining world.

The Senator from Wyoming will recall that in the committee there was a discussion of the scientific terms and what they included.

We concluded that persons in the mining world well understand their meaning and scope. However, I think the Senator's suggestion is a good one.

Mr. BARRETT. Mr. President, under the circumstances, I withdraw the objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to the consideration of the bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 7, after the word "to", to strike out "the making of"; in line 8, after the word "surveys", to strike out the comma and "exploratory drilling," and insert "made by credited technicians employing generally recognized equipment and methods"; on page 2, line 5, after the word "the", to strike out "fiscal" and insert "assessment"; in line 6, after the word "commencing", to insert "at 12 o'clock meridian on", and, in line 7, after the word "succeeding", to strike out "fiscal" and insert "assessment"; so as to make the bill read:

Be it enacted, etc., That section 2324 of the Revised Statutes of the United States (30 U. S. C. 28) is amended by inserting immediately after the third sentence thereof the following new sentence: "The term 'labor,' as used in the preceding sentence, shall include, but not be limited to, geological, geochemical, or geophysical surveys made by credited technicians employing generally recognized equipment and methods, or other recognized means of determining the existence, extent of concentration, or accessibility of minerals on the claim."

SEC. 2. The amendment made by the first section of this act shall be effective with respect to the assessment year commencing at

12 o'clock meridian on July 1, 1957, and all succeeding assessment years.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4520) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska, was announced as next in order.

Mr. BARRETT. Over.

Mr. MAGNUSON. Mr. President, is the request that the bill be passed over made by request?

Mr. BARRETT. We have two objections on our side to the present consideration of the bill. The committee is not objecting to consideration of the bill, but certain Senators on this side have objection.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1958, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3775) to amend section 20b of the Interstate Commerce Act in order to require the Interstate Commerce Commission to consider, in stock modification plans, the assets of controlled or controlling stockholders, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

PREVENTION OF USE OF ARBITRARY STOCK PAR VALUES

The Senate proceeded to consider the bill (H. R. 3625) to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 1, after line 5, to strike out:

(1) striking out "par value" wherever it appears in the proviso in the first sentence and inserting in lieu thereof "value of capital stock or principal amount of indebtedness"; and

And in lieu thereof, to insert:

(1) changing the proviso in the first sentence to read *"Provided, however,* That said provisions shall not apply to such carriers or corporations where the value of capital stock or principal amount of other securities to be issued together with the value of capital stock and principal amount of other securities then outstanding, does not exceed $1 million, nor to the issuance of notes of a maturity of 2 years or less and aggregating not more than $200,000, which notes aggregating such amount including all outstanding obligations maturing in 2 years or less may be issued without reference to the percentage which said amounts bear to the total amount of outstanding securities"; and

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT

The Senate proceeded to consider the bill (S. 979) to amend the International Claims Settlement Act of 1949, as amended, and for other purposes, which had been reported from the Committee on Foreign Relations with amendments on page 1, line 8, after the word "than", to strike out "March 1, 1957" and insert "the date of enactment of this act"; on page 2, line 6, after the word "from", to strike out "war loss" and insert "any"; in line 14, after the word "amended", to insert "or subtitle A of the Internal Revenue Code of 1954, as amended," and, in line 15, after the word "decreased", to strike out "by reason of the application of the provisions of section 127 of such code with respect to such loss or losses. Any payment of an award reduced by reason of this subsection, to the extent such payment represents a war loss recovery under section 127 of such code, or under section 1331 through section 1337 of the Internal Revenue Code of 1954, shall be exempt from Federal income taxes."; so as to make the bill read:

Be it enacted, etc., That (a), section 306 of the International Claims Settlement Act of 1949, as amended, is amended at the end thereof by striking out the words "not be more than 1 year after such publication, except that with respect to claims under section 305 this limit shall not exceed 6 months." and inserting "in no event be later than the date of enactment of this act."

(b) The International Claims Settlement Act of 1949, as amended, is further amended by designating section 308 thereof as subsection (a) of section 308 and adding the following:

"(b) Any proposed award under subsection (a) of this section shall be reduced by an amount equal to the aggregate amount of Federal tax benefits derived by the claimant in any prior taxable year or years resulting from any deduction or deductions claimed for the loss or losses with respect to which such proposed award is made, except that such an award shall not be reduced to an amount less than $5,000 by reason of this subsection. Such Federal tax benefits shall be the aggregate of the amounts by which the claimant's taxes for such year or years under chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code of 1939, as amended, or subtitle A of the Internal Revenue Code of 1954, as amended, were decreased.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 15) to express the sense of the Senate on the establishment of the United Nations force was announced as next in order.

Mr. BARRETT. Over.

Mr. CLARK. Over.

The PRESIDING OFFICER. The resolution will be passed over.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 154) authorizing additional expenditures by the Committee on Appropriations was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

VIRGINIA MAY CHRISTIAN AND OTHERS

The resolution (S. Res. 164) to pay a gratuity to Virginia May Christian and others was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Virginia May Christian and Margaret G. Devaney, daughters, and to Samuel Percy Griffin, Jr., Edward W. Griffin, and William F. Griffin, sons of Samuel P. Griffin, an employee of the Senate at the time of his death, a sum to each equal to one-fifth of a year's compensation at the rate he was receiving by law at the time of his death, said sums to be considered inclusive of funeral expenses and other allowances.

PRINTING AS HOUSE DOCUMENT THE PUBLICATION GUIDE TO SUBVERSIVE ORGANIZATIONS AND PUBLICATIONS

The concurrent resolution (H. Con. Res. 135) to print as a House document the publication Guide to Subversive Organizations and Publications was considered and agreed to.

PRINTING AS HOUSE DOCUMENT VOLUMES I AND II OF PUBLICATION SOVIET TOTAL WAR

The concurrent resolution (H. Con. Res. 136) to print as a House document volumes I and II of the publication Soviet Total War was considered and agreed to.

MEMORIAL TO THE DEAD OF THE SECOND INFANTRY DIVISION

The joint resolution (H. J. Res. 345) authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to the dead of the 2d Infantry Division, United States Forces, World War II and the Korean conflict, was considered, ordered to a third reading, read the third time, and passed.

MICROFILMING OF PAPERS OF PRESIDENTS OF THE UNITED STATES

The bill (H. R. 7813) to organize and microfilm the papers of Presidents of the United States in the collections of the

Library of Congress was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER subsequently said: Mr. President, I should like to inquire what disposition has been made of Calendar No. 635, H. R. 7813.

The PRESIDING OFFICER. The bill, H. R. 7813, Calendar No. 635, to organize and microfirm the papers of Presidents of the United States in the collection of the Library of Congress, was passed.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the bill was passed and that the bill be placed on the calendar. I am informed that an amendment is to be submitted to the bill. It may be possible to do that this afternoon. If not, we can take up the bill at the next call of the calendar.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. ELLENDER] asks unanimous consent that the Senate reconsider the vote by which it passed Order No. 635, H. R. 7813, and that the bill be returned to the calendar. Is there objection to the request of the Senator from Louisiana?

Mr. STENNIS. Does the Senator from Louisiana request that the bill go to the foot of the calendar, for the purpose of having an amendment submitted to it later in the day?

Mr. ELLENDER. The amendment may not be ready this afternoon.

Mr. STENNIS. The Senator, then, requests that the bill go over to the next call of the calendar. Is that correct?

Mr. ELLENDER. The Senator is correct. I ask that the bill be passed over to the next call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation of certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244 (a) (5) of the Immigration and Nationality Act (66 Stat. 214; 8 U. S. C. 1254 (c)):

A-4158392, Adeikis, Stanley Michael.
A-2885127, Aksomaitis, Vincas.
A-5396880, Asano, Katsu.
A-5026507, Beltran, Adolfo.
A-2830514, Beltran, David.
A-5342432, Berezovsky, Philip.
A-10249801, Berger, Hyman.
A-3996498, Cardozo, Manuel Soares.
A-5126546, Castaneda-Cardoza, Alfonso.
A-5453601, Collazo-Gomez, Ernesto.
A-4322851, Cuilla, Serafano.
A-2375195, Ding-Gomez, Loreto.
A-2368529, Fiori, Francesco.
A-3279005, Freiman, John.
A-4621249, Genco, Salvatore.
A-5740870, Gergieff, Mogomet.
A-3607094, Giardina, John.
A-10519582, Gonzalez-Rodriguez, Jose Guadalupe.
A-3234931, Hagig, Jurius Bahounes.
A-3092077, Hanna, Asef.
A-2753717, Hernandez, Raymond.
A-5457310, Holm, Henning.
A-5817785, Imbelli, Joseph.
A-8890652, Johnson, John Christian.
A-2369307, Kapian, Anna.
A-4493473, Kessler, Max.
A-5014088, Klymczak, Wojciech.
A-5405700, Kotchkowsky, Anthony.
A-3569890, Kozlowski, Edward.
A-2836648, Kubiejewski, John.
A-5974494, Mannert, Anna.
A-8979815, Martinez-Torres, Juan.
A-3299593, Mellin, Otto Hammes.
A-10116646, Milwood, Orville.
A-5140141, Mirarchi, Mosario Joseph.
A-3245080, Nevarrez-Garcia, Manuel Angelo.
A-8938342, Palacio, Manuel.
A-3584143, Aldana, Sara Barbosa De.
A-4195208, Cariozzi, James.
A-3692261, D'Elena, Celeste.
A-5156681, Dicroff, Robert Ernst.
A-1899752, Elashik, Sava.
A-5622659, Favorito, Thomas Vincent.
A-4619627, Kagan, Irving.
A-5949135, Kaminski, Leon.
A-5547409, Kognoski, Peter.
A-5158358, Latina, Salvatore.
A-3166512, Lewandowski, Felix.
A-3331252, Parrillo, Pasquale.
A-10421865, Pawlak, Stanley.
A-5231537, Pecoraro, Girolamo.
A-5768942, Peltz, Max.
A-4893229, Perez, Regina Escobar.
A-8862238, Pidalo, Barbara.
A-2772408, Pilaia, Sam.
A-8582019, Radke, Victor John.
A-3810815, Romanovich, John.
A-2397876, Sabolovich, Mike.
A-3524451, Salazar-Ruiz, Andres.
A-5643343, Saledonis, Joseph John.
A-4146663, Schwartz, Isadore.
A-4571662, Siuba, Antonette.
A-3212351, Spear, Max.
A-5655850, Storz, Siegfried Herman.
A-4492568, Takeda, Shiro.
A-3490481, Tepper, Joseph Bernard.
A-2777783, Vallone, Felice.
A-2231701, Varela, Guadalupe Alvarez De.
A-5733817, Vargo, John.
A-3838689, Vega, Ramon.
A-5437973, Videll, Carl Ragner Frederick.
A-2582384, Villagomez-Anguiano, Jose.
A-2675965, Woo, Nye Yen.
A-4566433, Zalaski, Myron Stanley.
A-2720389, Bielick, Lukian.
A-3290571, Do Souto, Jose.
A-7089013, Limon-Acosta, Felix.
A-1582711, Lutsky, Isadore.
A-4446802, Ptasienski, Joseph.
A-2705430, De Hernandez, Manuela Triana.

LUCRECIA ZUCKERMANN PODESTA

The bill (S. 144) for the relief of Lucrecia Zuckermann Podesta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Lucrecia Zuckermann Podesta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LOCK TING KING

The bill (S. 396) for the relief of Lock Ting King, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Lock Ting King shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

WILLEM WOERAS

The bill (S. 397) for the relief of Willem Woeras was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Willem Woeras shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ROBERT F. GROSS

The bill (S. 524) for the relief of Robert F. Gross was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Robert F. Gross of Harrisonburg, Pa., is hereby relieved of all liability to refund to the United States the sum of $1,047.42, representing the amount of the overpayment received by him at the time of his final separation from employment with the Department of Labor as compensation for unused annual leave.

SEC. 2. All disbursing officers, or other responsible officers, who made or authorized the overpayment referred to in the first section of this Act, are relieved of all liability for such overpayment and their accounts shall be credited with the amount of such overpayment.

VIDA DJENICH

The bill (S. 567) for the relief of Vida Djenich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Vida Djenich shall be held and considered to be the minor alien child of Cvetko Djenich, a citizen of the United States.

ZACHAROULA PAPOULIA MATSA

The bill (S. 796) for the relief of Zacharoula Papoulia Matsa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Zacharoula Papoulia Matsa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required

visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MRS. AHSAPET GAMITYAN

The bill (S. 1049) for the relief of Mrs. Ahsapet Gamityan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Ahsapet Gamityan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARIO BELLICH

The bill (S. 1142) for the relief of Mario Bellich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mario Bellich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ZDENKA SNELER

The bill (S. 1153) for the relief of Zdenka Sneler was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Zdenka Sneler shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. John Grisnik, citizens of the United States.

EILEEN TEAHAN

The bill (S. 1155) for the relief of Eileen Teahan was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eileen Teahan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

HELENE CORDERY HALL

The bill (S. 1175) for the relief of Helene Cordery Hall was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of the Immigration and Nationality Act, Helene Cordery Hall shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to this alien as provided for in this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

EDWARD MARTIN HINSBERGER

The bill (S. 1241) for the relief of Edward Martin Hinsberger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Edward Martin Hinsberger, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Edward Martin Hinsberger shall have the same citizenship status as that which existed immediately prior to its loss.

LEE-ANA ROBERTS

The bill (S. 1290) for the relief of Lee-Ana Roberts was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Lee-Ana Roberts shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

PAO-WEI YUNG

The bill (S. 1306) for the relief of Pao-Wei Yung was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Pao-Wei Yung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

TORIBIA BASTERRECHEA (ARROLA)

The bill (S. 1307 for the relief of Toribia Basterrechea (Arrola) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Toribia Basterrechea (Arrola) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year such quota is available.

ANSIS LUIZ DARZINS

The bill (S. 1421) for the relief of Anzis Luiz Darzins was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ansis Luiz Darzins shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAMIL G. NASSAR

The bill (S. 1579) for the relief of Jamil G. Nassar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jamil G. Nassar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

STEPHEN PETER DEMOGIANNIS (STAVROS PANTELLIS DEMOGIANNIS)

The bill (S. 1914) for the relief of Stephen Peter Demogiannis (Stavros Pantellis Demogiannis) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Stephen Peter Demogiannis (Stavros Pantellis Demogiannis), shall be held and considered to be the natural born alien child of Peter Thomas Koines and Marie Poulos Koines, his wife, citizens of the United States.

GERTRUD MEZGER

The bill (S. 2165) for the relief of Gertrud Mezger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Gertrud Mezger, the fiance of Albert Lee Klingelhofer, a citizen of the United States and an honorably discharged veteran of the Armed Forces, shall be eligible for

a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided,* That the administrative authorities find that the said Gertrud Mezger is coming to the United States with a bona fide intention of being married to the said Albert Lee Klingelhofer and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Gertrud Mezger, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Gertrud Mezger, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Gertrude Mezger as of the date of the payment by her of the required visa fee.

REIMBURSEMENT OF MEADOW SCHOOL DISTRICT, UPHAM, N. DAK.—BILL PLACED AT FOOT OF CALENDAR

The Senate proceeded to consider the bill (S. 212) to provide for the reimbursement of Meadow School District, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 7, after the word "act", to strike out "in excess of 10 percent thereof," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Meadow School District No. 29, Upham, N. Dak., the sum of $5,197.56 in full satisfaction of such school district's claim against the United States for reimbursement of loss of revenue resulting from the acquisition by the United States Department of the Interior of approximately 30 percent of the lands within such school district for a wildlife refuge, such amount representing the equitable share of such school district's bonded indebtedness remaining due against such lands acquired by the Department of the Interior at the time of such acquisition: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CHAVEZ. Mr. President, I wish to discuss this bill with the senior Senator from North Dakota and the junior Senator from North Dakota [Mr. LANGER and Mr. YOUNG]. Therefore, I ask unanimous consent that the action by which the bill has just been passed be rescinded, and that the bill go to the foot of the calendar, so that I can inquire about it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico?

Mr. BARRETT. I have no objection.

The PRESIDING OFFICER. Without objection, the action of the Senate in passing the bill is reconsidered, and the bill will be placed at the foot of the calendar, to be called when the foot of the calendar is reached.

AGAPITO JOROLAN

The Senate proceeded to consider the bill (S. 280) for the relief of Agapito Jorolan, which had been reported from the Committee on the Judiciary with an amendment on page 1, at the beginning of line 3, to strike out "That Agapito Jorolan, of Orlando, Fla., is hereby relieved of all liability to repay to the United States the sum of $6,200 which sum was erroneously paid him during the period from April 1952 to November" and insert "That, on the date of enactment of this act, Agapito Jorolan, of Orlando, Fla., is relieved of any liability to repay to the United States the remaining unpaid balance of the sum which was erroneously paid him during the period from April 1952 to August", so as to make the bill read:

Be it enacted, etc., That, on the date of enactment of this Act, Agapito Jorolan, of Orlando, Fla., is relieved of any liability to repay to the United States the remaining unpaid balance of the sum which was erroneously paid him during the period from April 1952 to August 1955 by the Military Sea Transportation Service, Department of the Navy, as the result of the failure of such Service to deduct from his salary (pursuant to sec. 2 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, 5 U. S. C. 715 (b)) an amount equal to the amount he was entitled to receive in civil service retirement annuity payments during such period, the said Agapito Jorolan having been reemployed by such Service subsequent to his retirement on March 31, 1952, under the Civil Service Retirement Act of May 29, 1930, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BENJAMIN WACHTFOGEL

The Senate proceeded to consider the bill (S. 398) for the relief of Benjamin Wachtfogel, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "act", to strike out the comma and "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available," and insert a colon and *"Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Benjamin Wachtfogel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUIGI LINO TUREL

The Senate proceeded to consider the bill (S. 485) for the relief of Luigi Lino Turel, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available," so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Luigi Lino Turel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 491) for the relief of Joanne Lea (Buffington) Lybarger was announced as next in order.

Mr. BARRETT. Mr. President, I ask that the bill be passed over, and go over to the next call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed over to the next call of the calendar.

CECYLE D. SMACK

The Senate proceeded to consider the bill (S. 878) for the relief of Cecyle D. Smack, which had been reported from the Committee on the Judiciary with an amendment in line 9, after the name "Smack", to strike out the semicolon and "but no benefits shall be held to have accrued by reason of this act prior to its enactment", so as to make the bill read:

Be it enacted, etc., That, for the purposes of any laws conferring rights, privileges, or benefits upon widows of veterans of World War I, Cecyle D. Smack, of Salt Lake City, Utah, shall be held and considered to have been married to Lemuel Edward Smack, a veteran of World War I, from June 14, 1946 (instead of June 29, 1946), to June 14, 1956, the date of death of the said Lemuel Edward Smack.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA ADORA JENSEN

The Senate proceeded to consider the bill (S. 879) for the relief of Anna Adora Jensen, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after

the word "of", to strike out "Saint", so as to make the bill read:

Be it enacted, etc., That, for the purposes of any laws conferring rights, privileges, or benefits upon widows of veterans of World War I, Anna Adora Jensen, of Sandy, Utah, shall be held and considered to have been lawfully married to Earl Jensen (deceased), a veteran of World War I, during the period from April 19, 1933, the date the said Anna Adora Jensen and Earl Jensen entered into a marriage ceremony in the State of Nevada (which ceremony was invalid because a divorce decree dissolving a prior marriage of the said Earl Jensen had not become final), to July 30, 1948, the date on which the said persons entered into a valid marriage contract in the State of Washington.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NECMETTIN CENGIZ

The Senate proceeded to consider the bill (S. 880) for the relief of Necmettin Cengiz, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such aliens as provided for in the Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Necmettin Cengiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HRYGORY (HARRY) MYDLAK

The Senate proceeded to consider the bill (S. 1050) for the relief of Hrygory (Harry) Mydlak, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "fee", to strike out the period and "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hrygory (Harry) Mydlak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIA ZELICH

The Senate proceeded to consider the bill (S. 1101) for the relief of Elia Zelich, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Elia Zelich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the enactment of this act upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOYCE TRUEMAN WATSON

The Senate proceeded to consider the bill (S. 1329) for the relief of Joyce Trueman Watson, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Law, Joyce Trueman Watson may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARJETA WINKLE BROWN

The Senate proceeded to consider the bill (S. 1804) for the relief of Marjeta Winkle Brown, which had been reported from the Committee on the Judiciary with an amendment in line 3, after the letter "(a)", to strike out "(a7)" and insert "(27)", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Marjeta Winkle Brown, shall be held and considered to be the natural-born alien child of Harold Darrel Brown, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS G. WHITCOMB

The Senate proceeded to consider the bill (S. 1877) for the relief of Louis G. Whitcomb, which had been reported from the Committee on the Judiciary with an amendment in line 10, after the word "to", to strike out "October" and insert "August", so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to credit the accounts of Louis G. Whitcomb, United States attorney for the State of Vermont, in the sum of $2,185.50 paid to himself as per diem in lieu of subsistence for time spent in Burlington, Vt., on official business, and including certain per diem in lieu of subsistence for fractional days while in a travel status during the period November 23, 1953, to August 31, 1955, and no repayment of that amount shall be required.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GUY H. DAVANT

The Senate proceeded to consider the bill (S. 2063) for the relief of Guy H. Davant, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 9, after the word "ticket", to strike out "to" and insert "from", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $156.55, to Guy H. Davant, of 1014 East Fortification Street, Jackson, Miss., in full settlement of all claims of said Guy H. Davant against the United States, such sum being the amount of his return transportation ticket from the Panama Canal Zone for which he paid prior to the cancellation of his employment there by the Bureau of Public Roads: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANTONIA MASSOROTTO TELARA

The Senate proceeded to consider the bill (S. 2398) for the relief of Antonia Massorotto Telara, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That Antonia Massorotto Telara shall be considered a first preference quota immigrant under the provisions of section 203 (a) (1) (B) of the Immigration and Nationality Act if she is issued an immigrant visa and admitted into the United States within 12 months from the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS CRUSE MINING AND DEVELOPMENT CO.

The Senate proceeded to consider the bill (S. 652) for the relief of the Thomas Cruse Mining & Development Co., which had been reported from the Committee on the Judiciary with amendments on page 1, at the beginning of line 7, to strike out "$10,800" and insert "$7,500", and, on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is hereby authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the Thomas Cruse Mining & Development Co., of Helena, Mont., the sum of $7,500. Payment of such sum shall be in full settlement of all claims of such company against the United States arising when, on October 8, 1942, its mining mill located near Marysville, Mont., and the machinery and equipment therein, were extensively damaged as a result of demolition operations carried on by personnel of the United States Army: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RALPH LANDOLFI

The bill (H. R. 1288) for the relief of Ralph Landolfi was considered, ordered to a third reading, read the third time, and passed.

MRS. BERTHA K. MARTENSEN

The bill (H. R. 1325) for the relief of Mrs. Bertha K. Martensen was considered, ordered to a third reading, read the third time, and passed.

FRANK E. GALLAGHER, JR.

The bill (H. R. 1348) for the relief of Frank E. Gallagher, Jr., was considered, ordered to a third reading, read the third time, and passed.

PHILIP J. DENTON

The bill (H. R. 1446) for the relief of Philip J. Denton was considered, ordered to a third reading, read the third time, and passed.

ANNA L. DE ANGELIS

The bill (H. R. 1472) for the relief of Anna L. De Angelis was considered, ordered to a third reading, read the third time, and passed.

MRS. FUSAKO TAKAI AND THOMAS TAKAI

The bill (H. R. 1520) for the relief of Mrs. Fusako Takai and Thomas Takai was considered, ordered to a third reading, read the third time, and passed.

ALLISON B. CLEMENS

The bill (H. R. 1536) for the relief of Allison B. Clemens was considered, ordered to a third reading, read the third time, and passed.

JACOB BARONIAN

The bill (H. R. 1537) for the relief of Jacob Baronian was considered, ordered to a third reading, read the third time, and passed.

WILLIAM H. BARNEY

The bill (H. R. 1552) for the relief of William H. Barney was considered, ordered to a third reading, read the third time, and passed.

FRED G. NAGLE CO.

The bill (H. R. 1667) for the relief of Fred G. Nagle Co. was considered, ordered to a third reading, read the third time, and passed.

IRMGARD S. KING

The bill (H. R. 2346) for the relief of Irmgard S. King was considered, ordered to a third reading, read the third time, and passed.

ROBERT M. DECKARD

The bill (H. R. 2347) for the relief of Robert M. Deckard was considered, ordered to a third reading, read the third time, and passed.

LEONA C. NASH

The bill (H. R. 2678) for the relief of Leona C. Nash was considered, ordered to a third reading, read the third time, and passed.

EDWIN K. FERNANDEZ

The bill (H. R. 3276) for the relief of Edwin K. Fernandez was considered, ordered to a third reading, read the third time, and passed.

MRS. MARY JANE RUSSELL

The bill (H. R. 3572) for the relief of Mrs. Mary Jane Russell was considered, ordered to a third reading, read the third time, and passed.

MRS. M. E. SHELTON PRUITT

The bill (H. R. 4851) for the relief of Mrs. M. E. Shelton Pruitt was considered, ordered to a third reading, read the third time, and passed.

CAPT. THOMAS C. CURTIS AND CAPT. GEORGE L. LANE

The bill (H. R. 5081) for the relief of Capt. Thomas C. Curtis and Capt. George L. Lane was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF HIGA KENSAI

The bill (H. R. 5220) for the relief of the estate of Higa Kensai was considered, ordered to a third reading, read the third time, and passed.

MRS. JANE BARNES

The bill (H. R. 6621) for the relief of Mrs. Jane Barnes was considered, ordered to a third reading, read the third time, and passed.

LEGAL GUARDIAN OF FREDERICK REDMOND

The Senate proceeded to consider the bill (H. R. 1672) for the relief of the legal guardian of Frederick Redmond, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 2401 (b) of title 28, United States Code, jurisdiction is hereby conferred upon the United States District Court for the Eastern District of New York to hear, determine, and render judgment on the tort claims of Frederick Redmond, an infant, and Ruth Redmond, his mother and natural guardian, of Staten Island, Richmond County, N. Y., against the United States on account of personal injuries sustained on March 16, 1945, allegedly as a result of the negligence of a driver of a United States mail truck.

SEC. 2. Suit upon such claims may be instituted hereunder not later than 6 months after the date of enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EDWARD J. MOSKOT

The Senate proceeded to consider the bill (H. R. 1682) for the relief of Edward J. Moskot, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the numerals "1954", to insert "and from November 1, 1954, to November 15, 1954,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ROBERT D. MILLER

The Senate proceeded to consider the bill (H. R. 2045) for the relief of Robert D. Miller of Juneau, Alaska, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LT. COL. EMERY A. COOK

The Senate proceeded to consider the bill (H. R. 2950) for the relief of Lt. Col. Emery A. Cook, which had been reported from the Committee on the Judiciary with an amendment on page 2 line 14, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM V. STEPP, JR.

The Senate proceeded to consider the bill (H. R. 2973) for the relief of William V. Stepp, Jr., which had been reported from the Committee on the Judiciary with an amendment on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

HOWARD S. GAY

The Senate proceeded to consider the bill (H. R. 3281) for the relief of Howard S. Gay, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

OSWALD N. SMITH

The Senate proceeded to consider the bill (H. R. 4023) for the relief of Oswald N. Smith, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEGAL GUARDIAN OF THOMAS BRAINARD, A MINOR

The Senate proceeded to consider the bill (H. R. 4154) for the relief of the legal guardian of Thomas Brainard, a minor, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 2, after the word "of", to strike out "10 per centum thereof" and insert "$500."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MRS. EMMA HANKEL

The Senate proceeded to consider the bill (H. R. 5627) for the relief of Mrs. Emma Hankel, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

TOM R. HICKMAN AND OTHERS

The Senate proceeded to consider the bill (H. R. 1460) for the relief of Tom R. Hickman and Nannie Conley and husband, Jack Conley, which had been reported from the Committee on the Judiciary with amendments on page 1, line 5, after the initial "R.", to strike out "Hickman and" and insert "Hickman"; in line 6, after the name "Conley", where it appears the second time, to insert "Tina M. Hickman, Ray Conley, Mike Conley, W. B. Conley, Rebecca Conley, Louise Conley, Mary Frances Hickman, David B. Hickman, Tom R. Hickman, Jr., Ruth Conley, Willett J. Hickman, Jr., Martha Hickman, Ruth Hickman, and Roliand Hickman,", and, in line 11, after the State "Texas", to insert "as their interests may appear,".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act for the relief of Tom R. Hickman and others."

MAJ. JOHN P. RUPPERT

The Senate proceeded to consider the bill (H. R. 1562) for the relief of Maj. John P. Ruppert, which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the word "of", to strike out "the Treasury" and insert "Defense"; in line 4, after the word "of", to strike out "any money in the Treasury not otherwise appropriated" and insert "funds currently available to the Department of the Army", and on page 2, line 9, after the word "act", to strike out "in excess of 10 percent thereof".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MRS. BLANCHE HOUSER

The Senate proceeded to consider the bill (H. R. 2049) for the relief of Mrs. Blanche Houser, which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the numeral "15", to strike out "and" and insert "to", and in line 9, after the word "act", to insert "as made applicable to employees of the Civil Works Administration."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FILING OF CLAIMS BY FORMER PRISONERS OF WAR

The bill (S. 883) to extend for 1 year the time for filing of claims by former prisoners of war under section 6 (e) of the War Claims Act of 1948 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. COOPER. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation of Calendar No. 703, S. 883, is requested.

Mr. EASTLAND. Mr. President, the purpose of the proposed legislation is to extend to August 21, 1956, the time for filing claims by former prisoners of war under section 6 (e) of the War Claims Act of 1948, as amended.

Public Law 615, 83d Congress, approved August 21, 1954, extended to American prisoners of war captured during the Korean hostilities benefits similar to those granted to prisoners of war during World War II under the War Claims Act of 1948. Section 6 (e) provided 1 year from the date of enactment for the filing of claims. The final date for filing was accordingly August 21, 1955.

The Foreign Claims Settlement Commission has advised the committee that it has received 25 informal and formal applications from apparently eligible claimants which have been filed subsequent to the August 21, 1955, date. These applications would become valid claims upon the enactment of the proposed legislation. The Commission has further advised the committee that the total of all valid claims under the proposed legislation to extend the filing date would probably not exceed 50.

Mr. COOPER. May I ask from what funds these claims are paid?

Mr. EASTLAND. They are paid from various moneys that are placed with the Foreign Claims Settlement Commission.

Mr. COOPER. Do they come from German assets?

Mr. EASTLAND. From foreign assets, yes, German or Japanese.

Mr. COOPER. I ask the question for information. I shall not object to the consideration of the bill. In 1948 I was chairman of the subcommittee which drew the particular section of the law in question; providing for the payment of claims of veterans of World War II. Their claims were to be paid out of German and Japanese assets. I know at the time it was asked whether the enactment of the bill would establish a precedent, and whether in the future all veterans would seek payment of claims from the funds received from German and Japanese assets. I assume that is now correct. Is it?

Mr. EASTLAND. From enemy alien property, yes.

Mr. COOPER. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 883) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That paragraph (5) (A) of section 6 (e) of the War Claims Act of 1948 is hereby amended to read as follows:

"(A) August 21, 1955;".

BEULAH I. REICH

The Senate proceeded to consider the bill (H. R. 1501) for the relief of Beulah I. Reich, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the word "of", to strike out "$10,000" and insert "$5,000".

Mr. CLARK. Mr. President, I ask that the amendment be rejected and that the bill be passed without amendment, as it came from the House of Representatives.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, may we have an explanation of the situation.

Mr. CLARK. The bill is for the relief of Beulah Reich, the wife of a United States Air Force officer, who was struck by pieces of cast iron which fell from an overhanging balcony as she entered a hotel requisitioned by the United States Army in Bad Nauheim, Germany.

The report of the Department of the Army states that the iron fell because of the negligence of an employee of the Army. Mrs. Reich was knocked unconscious and taken to a military medical dispensary for treatment of her injuries, which included a deep laceration of the scalp and a puncture wound in her left thigh. She was hospitalized at the Army General Hospital, Frankfurt, Germany, and received further treatment at Army medical facilities in Germany on an outpatient basis.

Mrs. Reich's civilian doctor presented his bill to the committee, which showed that as of March 2, 1957, the cost of his medical services was $3,500, and the estimate of future medical expense, including medicines and drugs, was $5,000. Therefore, if these medical bills were to be honored the total would be $8,500.

The House allowed $10,000 in the bill which it passed. The Senate committee tentatively cut the award to $5,000, and the Senate committee, as I understand—the chairman of the committee is present in the Chamber—has now, on reconsideration, concluded that the amount was unjust and unfair to Mrs. Reich, and that the House amount should be reinserted in the bill.

Mr. ALLOTT. Which would be $10,000?

Mr. CLARK. Which would be $10,000.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. CLARK. Mr. President, I amend my remarks by withdrawing the reference to the Senate committee, which has taken no formal action. I wish to say it was the view of the calendar committee, endorsed by the leadership, that the higher amount as provided in the House bill should be reinstated.

Mr. ALLOTT. Mr. President, the Senator from Pennsylvania wants the Senate to reject the House amendment?

Mr. CLARK. The Senator is correct.

Mr. ALLOTT. I shall have to object to the passage of the bill at this time.

Mr. CLARK. My request was that the Senate committee amendment be rejected.

The PRESIDING OFFICER. That action in rejecting the amendment restores the bill to the terms carried when the bill passed the House.

Mr. PURTELL. Mr. President, the Republican calendar committee has reviewed the bill, and concurs in the decision arrived at by the calendar committee of the other side. We feel that the restoration of the $5,000 is justified. We certainly offer no objection.

Mr. ALLOTT. Mr. President, I will withdraw my objection.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

VIRGIN ISLANDS NATIONAL PARK

The bill (S. 2183) to amend the act of August 2, 1956 (70 Stat. 940), providing for the establishment of the Virgin Islands National Park, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 2, 1956 (70 Stat. 940), entitled "An act to authorize the establishment of the Virgin Islands National Park, and for other purposes" is hereby amended by striking section 3 therefrom.

BILLS PASSED OVER

The bill (S. 1356) to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts by certain persons engaged in commerce in meat and meat products, and for other purposes, was announced as next in order.

Mr. PURTELL. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1411) to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security, was announced as next in order.

Mr. PURTELL. Mr. President, while the committee feels this is a very good bill, we consider that it is not proper consent calendar business, and therefore—and for that reason only—we suggest it not be passed on the call of the consent calendar, and I object.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF FEDERAL EMPLOYEES PAY ACT OF 1945

The bill (S. 1901) to amend section 401 of the Federal Employees Pay Act of 1945, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 401, paragraph (1), of the Federal Employees Pay Act of 1945, as amended (5 U. S. C. 926), is amended by inserting before the period at the end of the first sentence a comma and the words, "except for irregular, unscheduled overtime duty in excess of his regularly scheduled weekly tour."

BILL PASSED OVER

The bill (S. 2127) to amend section 3 (d) of the Federal Employees' Group Life Insurance Act of 1954 relating to the reduction in amounts of insurance of persons over the age of 65, was announced as next in order.

Mr. PURTELL. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

HOLIDAY WORK BY RURAL CARRIERS

The Senate proceeded to consider the bill (S. 919) relating to holiday work by rural carriers, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

That hereafter when the President of the United States by Executive order, memorandum, or other administrative action authorizes Federal employees generally to be excused from duty on a workday—

(1) employees in the Postal Transportation Service or in the Motor Vehicle Service who are assigned to road duty and are required to work on such day shall be granted a day off, with pay and without charge thereof to their earned annual leave, within 1 year thereafter; and

(2) rural carriers who are required to work on such day shall be granted a day off, with pay and without charge thereof to their earned annual leave, within 1 year thereafter.

Mr. LAUSCHE. Mr. President, may I inquire as to what the provisions of the bill are?

The PRESIDING OFFICER. The Senator inquires as to the provisions of Calendar 710, S. 919?

Mr. LAUSCHE. The Chair is correct.

Mr. CHAVEZ. Over, Mr. President. There is no member of the committee present to answer the question.

Mr. CLARK. Mr. President, will the Senator from New Mexico withhold his objection and yield to me?

Mr. CHAVEZ. I yield.

Mr. CLARK. I am a member of the committee, and I believe I can give an explanation.

Mr. CHAVEZ. I withhold my objection.

The PRESIDING OFFICER. The Senator from Pennsylvania will explain the bill.

Mr. CLARK. Mr. President, this bill, as introduced, related only to work performed by rural carriers on a day designated by Executive order as a holiday for Federal employees generally. The bill, as amended, would clarify the authority of the Post Office Department

with respect to road duty employees of the postal transportation and motor vehicle services in addition to providing compensatory time for work performed on Executive order holidays for rural carriers.

Section 603 of Public Law 68, 84th Congress, provides that employees in the postal field service below certain salary levels shall either be granted compensatory time or paid overtime for work performed on holidays or on days designated as holidays for Federal employees generally by Executive order.

Section 605 of this same public law, however, exempts rural carriers and road duty employees of the postal transportation and motor vehicle services from the application of section 603.

Rural carriers do not serve their routes on days when post offices are not open for the delivery of mail. This occurs on eight regular established holidays throughout the course of a year. For the purpose of giving rural carriers the benefit of these holidays, there has been no need to make the provisions of section 603 applicable to them.

Employees in the postal transportation and motor vehicle services who are assigned to road duty are exempt from the provisions of section 603 for an entirely different reason. Section 607 of Public Law 68 requires that these employees be so scheduled that they will not be required to work more than 252 8-hour days in each year. This required scheduling gives them the benefit of the eight regular established holidays.

The need for legislation of this type was pointed up during the Christmas season of 1956 when December 24 was declared a holiday for Federal employees. Post offices remained open on that day and employees working therein pursuant to law were entitled to overtime. However, rural carriers were not under the law entitled to similar treatment.

The purpose of the bill is merely to rectify an injustice in the present law for rural carriers, so that they will receive the same overtime their city brothers receive when they work on a holiday established by executive order.

Mr. LAUSCHE. What is the position of the Post Office Department, officially, concerning the bill?

Mr. CLARK. The Post Office Department, with the concurrence of the Bureau of the Budget, has approved the bill as proposed to be amended.

Mr. PURTELL. Mr. President, I should like to join with my colleague, the Senator from Pennsylvania, in urging the passage of the bill. The bill would if enacted correct an inequity which ought not exist.

As was pointed out by the Senator from Pennsylvania, the matter was brought to our attention last Christmas when these men were denied compensatory time while all the other employees of the Post Office Department received it. I think it is only fair and just that the bill be enacted, and I urge that it be passed.

Mr. CLARK. I thank my friend, the Senator from Connecticut.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to provide that certain employees in the postal field service assigned to road duty, and rural carriers, shall receive the benefit of holidays created by Executive order, memorandum, or other administrative action by the President."

EMPLOYMENT IN THE DISTRICT OF COLUMBIA OF RETIRED TEACHERS AS SUBSTITUTES

The bill (S. 1841) to authorize the District of Columbia Board of Education to employ retired teachers as substitute teachers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That persons who have retired as teachers under the provisions of the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920 (sec. 31–701, and the following, D. C. Code), as amended; or the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (sec. 31–721, and the following, D. C. Code), as amended; or the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920 (title 5, sec. 691, U. S. C.), as amended; may be employed as substitute teachers in the public schools of the District of Columbia when it is not practicable otherwise to secure qualified and competent persons. Any such persons granted temporary employment under authority of this act shall continue to receive their annuities during such employment and no deduction shall be made from the compensation of such persons for retirement benefits. The service rendered by such retired teachers employed as substitute teachers shall not be used to recompute their annuities.

COMPENSATION OF DIRECTOR OF METROPOLITAN POLICE FORCE BAND

The bill (H. R. 4932) to amend the act of July 11, 1947, to increase the maximum rate of compensation which the director of the Metropolitan Police force band may be paid was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF STADIUM IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, which had been reported from the Committee on District of Columbia with amendments on page 3, line 1, after the word "such", to strike out "stadium, including the land upon which said stadium is located" and insert "stadium", and, in line 4, after the word "than", to strike out "to be approved by the Secretary of the Treasury" and insert "6 per centum per annum."

Mr. PURTELL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. BIBLE. Mr. President, the purpose of this bill is to authorize the District of Columbia Armory Board to construct, maintain, and operate a stadium, including parking facilities, with a seating capacity of not to exceed 50,000, in the District of Columbia, suitable for holding athletic and other events. The overall cost including interest, engineering, legal, financial, architectural, and other incidental expenses shall not exceed $6 million. The Secretary of the Interior is directed and authorized to acquire by gift, purchase, condemnation, or otherwise, all real property within the boundary of the East Capitol Street site contained in the National Capital Planning Commission report on the National Memorial Stadium dated November 8, 1956, and to transfer to the Board all real property within the boundaries of such East Capitol Street site.

The bill further authorizes the Board to issue 6 percent 30-year bonds secured by a mortgage on the stadium on conditions determined by the Board calculated to produce the cost of the stadium. The bill authorizes the Board to enter into a trust agreement with any bank or trust company covering the financial arrangements; provides that bonds are to be sold at not less than par; authorizes the issuance of temporary bonds and interim certificates exchangeable for definitive bonds when such bonds are executed and available.

Enactment of this legislation would permit the Armory Board to apply to the Housing and Home Finance Agency for an advance of $35,000 to cover preliminary planning of the proposed stadium. It has been brought to the attention of the committee that before a bonding company would undertake to underwrite a bond issue authorized by the bill, it would be necessary to secure a preliminary economic and engineering survey to determine whether or not such a stadium would be practicable and provide sufficient revenue to maintain itself.

Such a survey would include the economics of the entire stadium proposal, the uses to which the stadium might be put, possible sources of income, special revenue from parking, special revenue from concessions, and other related items, and a recommendation for an economic maintenance plan.

The Armory Board made application for an advance of $35,000 to the Housing and Home Finance Agency for such a preliminary planning study, but was advised by letter dated April 12, 1957, that—

> We are not in a position to contract for advances to the Armory Board until it is vested with authority to proceed with the preparation of plans either in preliminary or final form. However, it may be possible to approve the application and make an offer to the Armory Board contingent upon the enactment into law of H. R. 1937.

The enactment of this bill is necessary in order that funds may be obtained to cover the preliminary planning and survey of the proposed stadium.

This bill has the approval of the National Memorial Stadium Commission and the Board of Commissioners of the District of Columbia.

It is for the purpose of facilitating procurement of the sum of $35,000 for the preliminary survey that the bill is new before the Senate.

Mr. PURTELL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. PURTELL. The bill as it came from the House was amended by the Senate committee. Were the amendments to cover the means by which additional revenue should be obtained?

Mr. BIBLE. The District of Columbia Committee made three amendments. The first amendment, which is in section 4 (a), was to eliminate the requirement that the Armory Board pay for the land on which the stadium is to be located. The Department of the Interior advised the committee that approximately 180 acres of park land would be affected by the proposal. This land was stated to have an estimated value of $2 million. If the Armory Board were required to reimburse the Government for the cost of the land, it was felt that there would be insufficient funds from the $6 million bond issue with which to construct the stadium.

The second committee amendment was to the same section, 4 (a), to eliminate the requirement that the rate of interest on the bonds be approved by the Secretary of the Treasury. The amendment now in the bill would restore the original language suggested by the Commissioners. Testimony before the committee was to the effect that if the bonds bore interest at a rate of not more than 6 percent, they would be more easily negotiable, and would find readier buyers in the bond market.

The third amendment made to the bill by the Senate District Committee was to section 5, subparagraph (6), which permits the Armory Board to have discretionary powers in determining the types of beverages to be sold at the stadium.

The committee felt that, inasmuch as the stadium is to be in the nature of a private venture, it was more desirable that the Board be vested with the authority to make its own decisions as to the letting of the concessions, without placing restrictions upon the Armory Board.

The House language provided that the Board could let no concessions for the sale of alcoholic beverages. The word "nonalcoholic," was stricken out, so as to vest authority with the Armory Board, rather than placing a restriction upon it by an act of Congress.

Mr. PURTELL. I thank the distinguished Senator for his explanation.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. CASE of South Dakota. The able Senator from Nevada has already made an explanation.

Perhaps nothing further is required.

I should like to observe that members of the Stadium Commission went into the question at considerable length. The Commission held several hearings during the fall and early part of the year. I think the action of the Stadium Commission was unanimous in making its recommendation to the District Commissioners and in its report to Congress.

The proposed site for a stadium capitalizes, so to speak, to the maximum extent, on investments heretobefore made by the District of Columbia and by the Federal Government. The site proposed to be used would utilize existing facilities in a better way than would any other site that was suggested.

I note the presence in the Chamber of the distinguished Senator from Mississippi [Mr. STENNIS]. He is chairman of the Stadium Commission. I think he will agree that the Stadium Commission was unanimous in support of this proposal, and of the bill designed to get the project under way.

Mr. BIBLE. I am grateful to the Senator from South Dakota. The distinguished Senator from Mississippi is on his feet. Help given to the committee by the Stadium Commission was of immeasurable value. We followed the recommendations made by the Commission, as I stated in my earlier presentation on the bill.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. STENNIS. I think the RECORD should show, that, as already stated by the Senator from South Dakota [Mr. CASE], the Commission appointed by the Congress to look into this subject held several meetings. It is composed of Members of the House, Members of the Senate, and three prominent business men in the city. After acting independently and holding separate hearings, it reached conclusions which were largely in accord with the bill which is now before the Senate, which bill was introduced in the House.

So in a spirit of complete cooperation and unanimity of opinion on all major matters, the Commission gave its support to the bill.

We particularly gave attention to the site. Although there was a slight difference of opinion, the general concensus was that the site recommended was very appropriate. The space could be utilized in connection with the Armory. We are not trying to rush the bill through Congress, but we think Congress should act on it, and I hope it will be possible to have the bill acted upon at this session, so that the program may go forward.

Mr. LAUSCHE. Mr. President, the argument constantly being made is that one of the menaces to the country is inflation. The President and others have recommended that in connection with construction throughout the country, items which can be delayed, and which are not essential, should not go forward.

It may be that the District of Columbia needs a stadium. The query is whether it is so essential that it ought to go forward in this period of inflation. I think the subject should be investigated; and I object.

Mr. CLARK. Mr. President, will the Senator withhold his objection momentarily?

Mr. LAUSCHE. I am happy to do so.

Mr. CLARK. I should like to say to the Senator from Ohio that the bill does not authorize the construction of a stadium. It merely authorizes the expenditure of $35,000 in order to permit a study to be made, to determine whether a stadium can be built on a self-supporting basis. Of course, a self-supporting stadium would not be inflationary, because revenue would come in from fees paid by those who entered the stadium, which revenue could be applied to the retirement of the bonds.

Moreover, by the time the $35,000 is spent, and an authorization for a stadium goes through the legislative process, we may well be in a period of deflation, rather than inflation. So I hope the Senator will not press his objection to the bill, which cannot possibly result in any inflation for a year or two.

Mr. LAUSCHE. I respect the views of the Senator from Pennsylvania, but too frequently have I seen statements made about an innocuous initial expenditure, with the claim that it does not tie us down, only to learn later that it is the wedge, the spike, by virtue of which eventually the project goes forward.

The city of Cleveland was granted $100,000 by the Congress to build a stadium for the pan-American games.

When the $100,000 was granted, it was used in furtherance of the argument, "We have already spent $100,000; we might as well go forward and spend the $5 million."

Mr. President, this subject is of sufficient importance that we should not go forward with it at this time.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. BARRETT. Does the Senator understand that under the provisions of the bill the construction would be carried out by the sale of bonds, and would not call for an appropriation by the United States Government?

Mr. LAUSCHE. I thoroughly understand that that is supposed to be the fact, and that this is supposed to be a self-liquidating project. However, that does not alter the fact that the effect of the construction will be felt by the building trades, and that competition will result for labor and craftsmen. This may very well be a project which is not essentially or immediately needed. Therefore, it seems to me it can wait.

Mr. BARRETT. It is not a Federal project in the sense that Congress will appropriate money for it.

Mr. BIBLE. Mr. President, will the Senator yield to me?

Mr. LAUSCHE. I yield.

Mr. BIBLE. I respect the Senator's right to object to the consideration of the bill. However, I should like to say to him that the bill has had the very careful consideration of our committee. The bill in no way requires Federal participation, with the exception of the original borrowing of $35,000 for the economic survey. Even that is merely a loan, which is to be repaid out of the sale of the bonds to be issued, which will be retired by revenues collected by the stadium. This is not a Federal project.

Mr. LAUSCHE. I understand that we will donate to the project 188 acres of

land, and we will not become obligated in connection with the cost of the construction of it. However, the fact remains that we must provide for the project the vehicle through which it will operate. The basic question is, "Shall we in Congress, charged with protecting the stability of the dollars invested by our citizens in annuities and in retirement funds and in Government bonds, and in the face of inflation, go forward with this construction?

I may later change my views on it, but at the present time I must object.

Mr. CASE of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. COTTON in the chair). Objection is heard.

Mr. PURTELL. Mr. President, will the Senator withhold his objection and yield to me?

Mr. CASE of South Dakota. Mr. President, will the Senator from Ohio withhold his objection for the moment?

Mr. LAUSCHE. I withhold it for the moment.

Mr. CASE of South Dakota. Mr. President, while it is true that the bill contemplates using some Federal lands, which are park lands, those lands would be devoted to the purpose for which the lands have been heretofore held by the Government.

There are two other facts about the bill which I should like to have in the RECORD. One is that the Secretary of the Treasury is not authorized to subscribe for any bonds. The bonds will be sold in the open market, and neither the Treasury nor the Government of the District of Columbia is given any authority to subscribe for the bonds.

Furthermore, section 7 of the bill provides:

> After payment of the bonds and interest or after a sinking fund sufficient for such purpose shall have been provided and shall be held solely for that purpose, but in any event not later than 50 years from the date of enactment of this act, the board shall deliver deeds or other suitable instruments of conveyance to the interest of the board in and to the stadium to the Board of Commissioners of the District of Columbia, for the District of Columbia and the stadium shall thereafter be properly operated, maintained, and repaired by the District of Columbia.

In other words, although public land will be used for recreational purposes, that land is a part of the park land today, and there will be no public investment or consideration.

Furthermore, after the stadium has been operated sufficiently long to retire the bonds and pay the interest, but in any event not later than 50 years from the date of the passage of the law, the entire property will be turned over to the District of Columbia. Therefore the District of Columbia will have presented to it the stadium, paid off in full by its own bonds.

Mr. LAUSCHE. May I ask whether the President of the United States is correct in maintaining that, for the purpose of removing competition for labor and craftsmen, and in controlling inflation, we should defer the construction of projects which are not essential? My question is: If this project is essential, can anyone point out to me one project which is not essential?

The PRESIDING OFFICER. The Chair must confine Senators to the 5-minute rule.

Mr. LAUSCHE. I wish that question would be answered.

The PRESIDING OFFICER. The Chair must hold, under the rule, that the time of the Senator from Ohio has expired. Does the Senator from Ohio desire additional time?

Mr. PURTELL. Mr. President——

Mr. LAUSCHE. I ask for 3 minutes more, so that my question may be answered.

Mr. PURTELL. May I be recognized for 3 minutes?

The PRESIDING OFFICER. If the Senator from Ohio desires to retain his right to object, and insists on his objection——

Mr. PURTELL. Mr. President, speaking on my own time, and not in an effort to try to persuade the able Senator from Ohio to change his position, which he has already indicated he will insist on taking with respect to H. R. 1937, I believe I owe it to the Senate to explain why I had indicated that I reserve my right to object. I did not do so because I felt this is not a meritorious bill. To the contrary, I believe it proposes very much needed legislation for the benefit of the District of Columbia.

I said I reserved my right to object because three amendments had been appended to H. R. 1937 by the District Committee after the bill came to the Senate. I felt it might be better, in the interest of my colleagues and in the interest of the District of Columbia to have those amendments explained.

It is the opinion of the junior Senator from Connecticut that this is not only a very meritorious proposal, but will be very helpful to the District of Columbia and to the people residing therein. It is not my desire to debate the point, but I hope, in the light of the fact that both the House and Senate committees have studied the bill very carefully, the Senator from Ohio will consider the statements of the junior Senator from Connecticut in regard to the passage of the bill.

Mr. LAUSCHE. I should like to ask a question of the distinguished Senator from Connecticut. If the bill calling for the construction of a stadium in the District of Columbia is essential and absolutely needed, and must go forward in spite of the inflation from which we are suffering, will the Senator point out to me one governmental project that is nonessential?

Mr. PURTELL. I should like to point out to the Senator from Ohio that today much complaint is being heard about the fact that construction work has been reduced, and that there are—I am not sure that this situation prevails in the District of Columbia—people in the building industry who need employment. I am not sure that that situation applies to the District of Columbia, as I say, but it is my opinion that that is the situation generally in the building trades.

Mr. CASE of South Dakota. Mr. President, since the question was originally addressed to me, I should like an opportunity to answer it, so that the RECORD will not indicate that I failed to answer it, or that there will be any implication that I did not intend to answer it. I should like to make the point that the purpose of the bill is to make it possible to have a survey and study made, and that there will be no immediate construction, even if the bill should become law, and that the construction will depend on the outcome of the study and survey.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHAVEZ. I should like to make an observation. It is not my purpose to object. I believe this project would help the District of Columbia. However, we have our responsibility. I wish it were proper and legal for the people of the District of Columbia to conduct their own affairs. However, the Senator from Ohio, the Senator from Nevada, the Senator from Connecticut, the Senator from South Dakota, the Senator from Colorado, and the Senator from New Mexico, have a certain responsibility in the matter. Since we do not let the people of the District of Columbia manage their own affairs, we have a responsibility in connection with this project. We should do something in this instance, it seems to me, and that is why I will not object to the passage of the bill. If we do not like that situation, and if we wish to attend merely to national matters and international matters, well and good. In that case we should give the people of the District of Columbia the right to conduct their own affairs. If we did that, we would not have this trouble. I will not object to the consideration of the bill, or to its passage.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 1937?

Mr. LAUSCHE. Mr. President, I am objecting.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

CORNELIA S. ROBERTS—BILL PASSED OVER

The bill (H. R. 4240) for the relief of Cornelia S. Roberts was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object—and I shall object, although not on the merits of the bill—the bill has to do with a matter of internal-revenue payments. Therefore, I think it is precedent-setting. For that reason, and for that reason only, I object to its passage on the unanimous-consent calendar. I hope it will be called up on motion, so that it may be debated, and not be passed by unanimous consent on a subsequent call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 1903) to amend section 7 of the Administrative Expenses Act of

1947, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States was announced as next in order.

Mr. BARRETT. Mr. President, I ask that the bill go over until the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over until the next call of the calendar.

The bill (S. 27) to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 52) to provide increases in service-connected disability compensation and to increase dependency allowances was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6508) to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and for other purposes was announced as next in order.

Mr. CHAVEZ. Mr. President, I ask that the bill go over.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHAVEZ. Certainly.

Mr. CLARK. The bill received a full hearing before the Committee on the District of Columbia. At the hearing it was pointed out by members of the Bar Association of the District of Columbia that the bill was merely a codification of the laws of intestacy and inheritance and to eliminate curtesy and dower, as has been done in almost every State.

I wonder whether the Senator from New Mexico has a particular objection to the bill, which seems to be so noncontroversial.

Mr. CHAVEZ. Possibly the bill is not controversial to many persons in the District of Columbia, but again I emphasize the fact that Congress has a responsibility to all the citizens of the District. I know many legitimate citizens of the District of Columbia, and I have not heard from anyone concerning the bill. I do not know anything about the bill, and I should like to examine it. Therefore, I ask that it be passed over at this time.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF CERTAIN SECTIONS OF TITLE 13 OF THE UNITED STATES CODE, ENTITLED "CENSUS"

The Senate proceeded to consider the bill (S. 1631) to amend certain sections of title 13 of the United States Code, entitled "Census" which had been reported from the Committee on Post Office and Civil Service with amendments on page 4, line 16, after the word "States", to strike out "or" and insert "of"; on page 7, line 9, after the word "in", to strike out "cooperation" and insert "conjunction"; on page 8, at the beginning of line 6, to insert "(other than censuses of population)", and, in line 11, after the word "sovereignty", insert "Censuses of population shall include all geographic areas referred to in the preceding sentence."; so as to make the bill read:

Be it enacted etc., That the analysis of chapter 1 of title 13, United States Code, imediately preceding section 1 of such title, is amended—

(a) by striking out all of item 6 in such analysis and in lieu thereof inserting:

"6. Requests to other departments and offices for information, acquisition of reports from governmental and other sources."

(b) by adding immediately after and underneath item 11 in such analysis the following two items:

"12. Mechanical and electronic development.

"13. Procurement of professional services."

(c) by adding immediately after and underneath item 25 of such analysis the following new item:

"26. Transportation by contract."

SEC. 2. Section 3 of title 13, United States Code, is amended by adding at the end thereof the following new sentence: "Judicial notice shall be taken of the seal."

SEC. 3. Section 6 of title 13, United States Code, is amended to read as follows:

"§ 6. Requests to other departments and offices for information, acquisition of reports from governmental and other sources

"(a) The Secretary, whenever he deems it advisable, may call upon any other department or office of the Government for information pertinent to the work provided for in this title.

"(b) The Secretary may acquire by purchase or otherwise from States, counties, cities, or other units of government, or their instrumentalities, or from private persons and agencies such copies of records, reports, and other material as may be required for the efficient and economical conduct of the censuses and surveys provided for in this title."

SEC. 4. (a) Subsection (b) of section 8 of title 13, United States Code, is amended by adding at the end thereof the following:

"In the case of nonprofit organizations or agencies the Secretary may engage in joint statistical projects, the cost of which shall be shared equitably as determined by the Secretary and provided that the purposes are otherwise authorized by law."

(b) Subsection (d) of section 8 of title 13, United States Code, is amended to read as follows:

"(d) All moneys received in payment for work or services enumerated under this section shall be deposited in a separate account which may be used to pay directly the costs of such work or services, to repay appropriations which initially bore all or part of such costs, or to refund excess sums when necessary."

SEC. 5. Title 13, United States Code, is further amended by inserting in chapter 1 of such title immediately following section 11 the following two new sections:

"§ 12. Mechanical and electronic development

"The Secretary is authorized to have conducted mechanical and electronic development work as he determines is needed to further the functions and duties of carrying out the purposes of this title and may enter into such developmental contracts as he may determine to be in the best interest of the Government.

"§ 13. Procurement of professional services

"The Secretary shall have authority to contract with educational and other research organizations for the preparation of monographs and other reports and materials of a similar nature."

SEC. 6. Title 13, United States Code, is further amended by inserting in chapter 1 of such title immediately following section 25 the following new section:

"§ 26. Transportation by contract

"The Secretary may contract with field employees for the rental and use within the continental limits of the United States of means of transportation, other than motorcycle, automobile, or airplane, and for the rental and use outside of the continental United States of any means of transporation, which means may be owned by the field employee. Such rental contracts shall be made without regard to section 4 of the Travel Expense Act of 1949, as amended (5 U. S. C. 837). The rentals shall be at rates equivalent to the prevailing rental rates of the locality. The rental contracts within the continental United States may be entered into only when the use by the field employee of such other means of transporation is safer, more economical, or more advantageous to the Government than use of his motorcycle, automobile, or airplane in conducting the census."

SEC. 7. The analysis of chapter 5 of title 13, United States Code, immediately preceding section 131 of such title, is amended to read as follows:

"CHAPTER 5—CENSUSES

"Subchapter I—Manuactures, mineral industrials, and other businesses

Sec.

"131. Collection and publication; 5-year periods.

"132. Controlling law; effect on other agencies.

"Subchapter II—Population, housing, agriculture, irrigation, drainage, and unemployment

"141. Population, unemployment, and housing.

"142. Agriculture, irrigation, and drainage.

"Subchapter III—Governments

"161. Quinquennial censuses; inclusion of certain data.

"Subchapter IV—Interim current data

"181. Surveys.

"Subchapter V—Geographic scope, preliminary and supplemental statistics, and use of sampling

"191. Geographic scope of censuses.

"193. Preliminary and supplemental statistics.

"195. Use of sampling."

SEC. 8. Section 131 of title 13, United States Code, is amended to read as follows:

"§ 131. Collection and publication; 5-year periods

"The Secretary shall take, compile, and publish censuses of manufactures, of mineral industries, and of other businesses, including the distributive trades, service establishments, and transportation (exclusive of means of transportation for which statistics are required by law to be filed with, and are compiled and published by, a designated regulatory body), in the year 1954 and every fifth year thereafter, and each such census shall relate to the year immediately preceding the taking thereof: *Provided*, That the censuses of manufactures, of mineral industries, and of other businesses, including the distributive trades and service establishments, directed to be taken in the year 1954 relating to the year 1953, shall be taken instead in the year 1955 relating to year 1954."

SEC. 9. Section 141 of title 13, United States Code, is amended to read as follows:

"§141. Population, unemployment, and housing

"(a) The Secretary shall, in the year 1960 and every 10 years thereafter, take a census of population, unemployment, and housing (including utilities and equipment) as of the 1st day of April, which shall be known as the census date.

"(b) The tabulation of total population by States as required for the apportionment of Representatives shall be completed within 8 months of the census date and reported by the Secretary to the President of the United States."

SEC. 10. Section 142 of title 13, United States Code, is amended to read as follows:

"§ 142. Agriculture, irrigation, and drainage

"(a) The Secretary shall, beginning in the month of October 1959, and in the same month of every fifth year thereafter, take a census of agriculture, provided that the censuses directed to be taken in October 1959 and each tenth year thereafter, may, when and where deemed advisable by the Secretary, be taken instead in conjunction with the censuses provided in section 141 of this title.

"(b) The Secretary shall, in conjunction with the census of agriculture directed to be taken in October 1959 and each tenth year thereafter, take a census of irrigation and drainage."

SEC. 11. Sections 143, 144, 145, and 146 of title 13, United States Code, are hereby repealed.

SEC. 12. The last sentence of section 161 of title 13, United States Code, is amended to read as follows: "Each such census shall include, but shall not be limited to, data on taxes and tax valuations, governmental receipts, expenditures, indebtedness, and employees of States, counties, cities, and other governmental units."

SEC. 13. Section 162 of title 13, United States Code, is hereby repealed.

SEC. 14. Chapter 5 of title 13 of the United States Code is further amended by inserting immediately after section 181 the following new subchapter:

"SUBCHAPTER V—GEOGRAPHIC SCOPE, PRELIMINARY AND SUPPLEMENTAL STATISTICS, AND USE OF SAMPLING

"§ 191. Geographic scope of censuses

"(a) Each of the censuses authorized by this chapter (other than censuses of population) shall include each State, the District of Columbia, Alaska, Hawaii, the Virgin Islands, Guam, and the Commonwealth of Puerto Rico, and as may be determined by the Secretary, such other possessions and areas over which the United States exercises jurisdiction, control, or sovereignty. Censuses of population shall include all geographic areas referred to in the preceding sentence. Inclusion of other areas over which the United States exercises jurisdiction or control shall be subject to the concurrence of the Secretary of State.

"(b) For censuses taken in the Virgin Islands, Guam, or any possession or area not specifically designated in (a) above, the Secretary may utilize or adopt census data collected by the governor or highest ranking Federal official, when such data are obtained in accordance with plans prescribed or approved by the Secretary.

"(c) When, under determination by the Secretary as provided in paragraph (a) above, any census is not taken in a possession or area over which the United States exercises jurisdiction, control, or sovereignty, the Secretary may include in the census report data obtained from other Federal agencies or Government sources. Any data obtained from foreign governments shall be obtained through the Secretary of State."

"§ 193. Preliminary and supplemental statistics

"In advance of, in conjunction with, or after the taking of each census provided for by this chapter, the Secretary may make surveys and collect such preliminary and supplementary statistics related to the main topic of the census as are necessary to the initiation, taking, or completion thereof."

"§ 195. Use of sampling

"Except for the determination of population for apportionment purposes, the Secretary may, where he deems it appropriate, authorize the use of the statistical method known as 'sampling' in carrying out the provisions of this title."

SEC. 15. Section 221 (a) of chapter 7 of title 13, United States Code, is amended by striking "I, II, and IV" and inserting in lieu thereof "I, II, IV, and V."

SEC. 16. Section 222 of title 13, United States Code, is amended by striking "II or IV" and inserting in lieu thereof "II, IV, or V."

SEC. 17. Section 223 of title 13, United States Code, is amended by the insertion of "or V" immediately following the numeral "IV."

SEC. 18. Section 224 of title 13, United States Code, is amended by inserting the words "by certified mail," immediately following the words "by registered mail."

SEC. 19. Section 241 of title 13, United States Code, is amended by inserting the words "or certified" after the word "registered."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 2474) to increase the rates of basic salary of employees in the postal field service was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6517) to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1168) to amend the Securities and Exchange Act, as amended, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

DOCUMENTS EVIDENCING LEASE, MORTGAGE, ETC., OF MOTOR VEHICLES

The bill (S. 375) to amend the Interstate Commerce Act to provide for filing of document evidencing the lease, mortgage, conditional sale, or bailment of motor vehicles sold to or owned by certain carriers subject to such act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Interstate Commerce Act is amended as follows: After section 212 insert the following new section:

"VALIDITY OF CERTAIN CREDIT INSTRUMENTS

"SEC. 213. (a) As used in this section the term 'purchaser' means any mortgagor, lessee, bailee, buyer, or person holding a motor vehicle under a title retaining contract, mortgage, lease agreement, bailment, trust indenture, or other instrument having the effect thereof.

"(b) Any mortgage, lease, equipment trust agreement, conditional sale agreement, or other instrument evidencing the lease, conditional sale, or bailment of one or more motor vehicles owned by, or the use and possession of which has by such instrument been transferred to, a motor, rail, express, or water carrier subject to any provision of this act shall be valid and enforcible without filing or recording in any State against any person to the same extent that such instrument would be enforcible against such person if the filing and recording statutes of such State, if any, applicable to such documents had been complied with, if

'(1) such instrument has been recorded or filed in the State in which the purchaser resides, or if a corporation or other business legal entity has its principal place of business, and/or

"(2) such instrument is valid or enforcible against creditors of the purchaser and against subsequent purchasers from the first purchaser named in such instrument in the State in which the purchaser resides, or if a corporation or other business legal entity has its principal place of business."

EXTENSION OF AUTHORITY OF INTERSTATE COMMERCE COMMISSION UNDER CLAYTON ANTITRUST ACT

The bill (S. 1385) to amend section 11 of the Clayton Antitrust Act to extend the authority of the Interstate Commerce Commission thereunder to contract carriers subject to the Interstate Commerce Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 11 of the Clayton Antitrust Act, as amended (15 U. S. C. 21), is amended by eliminating the word "common" from the first clause of the first paragraph thereof.

BILL PASSED OVER

The bill (S. 1384) to revise the definition of contract carrier by motor vehicle as set forth in section 203 (a) (15) of the Interstate Commerce Act, and for other purposes was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

REQUIREMENT OF COMMITTEE REPORTS SHOWING COSTS OF MEASURES INVOLVING EXPENDITURE OF PUBLIC FUNDS—RESOLUTION PASSED OVER

The resolution (S. Res. 118) to amend rule XXVI so as to require committee reports proposing legislation or ratification of treaties, involving expenditure of public funds, to show the estimated costs thereof was considered and agreed to, as follows:

Resolved, That rule XXVI of the Standing Rules of the Senate is amended by adding

at the end thereof a new paragraph as follows:

"3. Whenever any committee (other than the Committee on Appropriations) reports a bill or joint resolution proposing legislation which if enacted, or a treaty which, if ratified, will authorize or require the expenditure of public funds, such committee shall include in its report a statement of the initial and projected costs of such legislation or treaty, as estimated by the committee, including any portion of such costs to be borne by the States or any subdivisions thereof."

Mr. MAGNUSON subsequently said: Mr. President, when Calendar 726, Senate Resolution 118, was agreed to, I was engaged in a discussion with the Senator from Florida and the Senator from Missouri. I ask unanimous consent that the action by which the Senate agreed to the resolution be rescinded, because several committee chairmen have been concerned about the practicality of making the reports called for. If my request is granted, I shall ask that the resolution be passed over.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the resolution is passed over.

BILL PASSED OVER

The bill (S. 72) to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

GENERAL BOX CO.

The Senate proceeded to consider the bill (S. 118) for the relief of the General Box Co. which had been reported from the Committee on the Judiciary with an amendment on page 2, line 2, after the word "Division", to insert a colon and "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered, in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the General Box Co., of Des Plaines, Ill., the sum of $13,143.10. Such sum shall be in full satisfaction of all claims of such company against the United States for the destruction by the United States in 1947 of certain timber which was owned by such company in the State of Louisiana and for the loss of which such company brought suit against the United States in civil cases Nos. 2536 and 2804 in the United States District Court for the Western District of Louisiana, Alexandria Division: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

Mr. CHAVEZ. Mr. President, may we have an explanation of why the bill provides for $13,143.10?

Mr. EASTLAND. Mr. President, the bill, as amended, would pay to the claimant the sum of $13,143.10 for the destruction of its timber in connection with the building of a levee on the Louisiana side of the Mississippi River in 1947.

The timber rights to a tract of land acquired by the claimant in 1946 were reserved for 20 years when the land was sold, and in 1947 the claimant company purchased for 10 years all timber rights to the other property in question.

In May of 1947, a project was proposed to enlarge two levees south of Vidalia, La., and, after negotiations, the United States was granted a right-of-entry by the State of Louisiana to prosecute the work.

The timber was located between the existing levee, or high-water mark, and the low-water mark of the banks of the Mississippi, which lands are known in Louisiana as "batture," and are subject to special treatment under the constitution of that State. Pursuant to the program initiated in connection with the construction of these levees, the local tax assessor furnished the levee board with a list of the property owners in the area affected, but the name of the claimant company did not appear thereon, since his property right was limited to the timber only. As a result thereof, it was some 40 days after the Government's contractor began to clear the land by bulldozing down the trees that the claimant company learned of the partial destruction of its property and requested that these operations be discontinued and the company be allowed to cut the remaining timber. This request was refused by the contractor for the reason that its bid was on the basis of bulldozing the trees and additional expense would be incurred if the trees were cut and the stumps then had to be removed.

After the destruction of the timber, the company brought suit in the United States district court and ultimately obtained a judgment against the United States for $10,801, plus interest. The United States and the claimant both appealed to the court of appeals, the former on the merits and the latter on the ground that the judgment allowed only 4 percent interest from the date of judgment. The case was reversed and, finally, the Supreme Court upheld the decision of the court of appeals, two Justices dissenting. In the dissenting opinion it was stated:

The United States cannot rely on the State-created servitude to justify its own action, which borders on the wanton destruction of the property interests of the private owners of the timber. For all that appears General Box was prepared to remove the timber without additional expense or delay to the United States.

The Department of the Army, in its report on the bill, states:

The General Box Co. has not been compensated for the damage to its property, * * *. In this situation, the Department of the Army would have no objection to the payment of compensation to the General Box Co. for the loss it has incurred. * * * The only practicable existing means of payment is via the enactment of private relief legislation by the Congress.

The committee has given careful consideration to all aspects of this claim and agrees with the statement contained in a memorandum presented by the attorney for the claimant that "the Nation at large benefits more than the bordering States under the flood-control program of the entire Mississippi Valley Basin, and particularly the lower portion thereof."

Mr. CHAVEZ. I have no objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS S. THOMAS AND D. GRACE THOMAS

The bill (S. 565) for the relief of Louis S. Thomas and D. Grace Thomas was announced as next in order.

Mr. PURTELL. Mr. President, inasmuch as a similar bill, H. R. 7213, for the relief of Louis S. Thomas and D. Grace Thomas, is now pending in the Senate Committee on the Judiciary, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of H. R. 7213, and that H. R. 7213 be considered in lieu of S. 565, as proposed to be amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and the Committee on the Judiciary is discharged from the further consideration of H. R. 7213. Is there objection to the present consideration of H. R. 7213?

There being no objection, the bill (H. R. 7213) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 565 is indefinitely postponed.

JOHN P. SOUVALDZIS

The Senate proceeded to consider the bill (S. 1331) for the relief of John P. Souvaldzis which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the requirements of section 15 through 20 of the Federal Employees' Compensation Act with respect to timely filing of notice of injury and claim for compensation are hereby waived in favor of John P. Souvaldzis and his claim for compensation for disability alleged to have resulted from an injury sustained while in the performance of his duties on January 29, 1951, as a civilian employee of the United States at an Army Ordnance Depot at Ankara, Turkey, shall be considered and acted upon under the remaining provisions of such act in the same manner as if such notice and claim had been timely filed, if such claim is filed within 6 months after the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAUL GUSTIN

The Senate proceeded to consider the bill (S. 285) for the relief of Paul Gustin which had been reported from the Committee on the Judiciary with amendments on page 1, line 5, after the word "to", to insert "the legal guardian of"; in line 7, after the word "of", to strike out "$50,000" and insert "$26,000"; in line 10, after the word "the", to strike out "right hand" and insert "left hand, part of the left forearm"; on page 2, line 5, after the name "Germany", to insert "on September 14, 1955", and, in line 7, after the word "of", to strike out "10 percent thereof" and insert "$1,000"; so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Paul Gustin, the minor child of Technical Sergeant and Mrs. Roger W. Gustin, the sum of $26,000. Such sum shall be in full satisfaction of the claim of the said Paul Gustin against the United States for compensation for permanent personal injuries, including loss of the left hand, part of the left forearm, and four toes of the left foot, pain and suffering, medical expenses, and future loss of earnings sustained as the result of the said Paul Gustin touching live electrical contacts inside an unguarded high voltage transformer building located near family housing quarters on Rhein-Main Air Force Base, Frankfurt, Germany, on September 14, 1955: *Provided*, That no part of the amount appropriated in this act in excess of $1,000 shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VILLAGE OF WAUNETA, NEBR.

The Senate proceeded to consider the bill (S. 364) for the relief of the village of Wauneta, Nebr., which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the word "is", to insert "authorized and"; in line 4, after the word "pay", to insert "out of any money in the Treasury not otherwise appropriated"; in line 6, after the word "of", to strike out "$82,500" and insert "$76,750", and, on page 2, line 23, after the word "these", to strike out "costs" and insert "salaries and expenses"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the trustees of the village of Wauneta, Nebr., the sum of $76,750 or so much thereof as a board of 3 competent engineers (1 of whom shall be named by the Secretary of the Interior, 1 by said trustees, and 1 by the other 2 jointly or, if they fail to agree, by the chief judge of the United States Court of Appeals for the Eighth Circuit) shall determine is necessary to rectify the adverse effects of the demolition by the United States of the Wauneta Light & Power Co. dam on Frenchman Creek on the serviceability of the water supply and storm and sanitary sewer facilities of the village, to compensate said village for any abnormal costs which were occasioned by said demolition and reasonably incurred to maintain such facilities in service from the time of said demolition to the present, and to compensate said village for such like costs as the board finds it may reasonably be expected to incur hereafter during the useful life of the facilities as they existed prior to said demolition or 50 years, whichever is shorter. Said payment shall be made only upon execution by the trustees of a release of the United States from any claim for damages arising from said demolition or from the construction, operation, and maintenance of Enders Dam and Reservoir, which release shall be satisfactory in form and content to the Secretary of the Interior. Each party shall pay the salary and expenses of its member of the board of engineers and one-half the salary and expenses of the third member of said board. Appropriations made to the Bureau of Reclamation, Department of the Interior, shall be available for the Government's portion of these salaries and expenses. Nothing contained in this act shall be construed as an admission by the United States of any liability on its part to the village of Wauneta or to any inhabitant or landowner therein.

SEC. 2. No amount in excess of 10 percent of the amount paid to the village of Wauneta pursuant to this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with its claim, and any such excess payment shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The amendments were agreed to.

Mr. GOLDWATER. Mr. President, reserving the right to object, may we have a brief explanation of the bill?

Mr. EASTLAND. Mr. President, the bill, as amended, would pay the sum of $76,750, or such part of that amount as is determined by a board of 3 competent engineers to be necessary to indemnify the village for past and future expenditures made in connection with its water supply and storm and sanitary sewer facilities, insofar as those expenditures were caused by the Government's demolition of a dam on Frenchman Creek which it had acquired from the Wauneta Light & Power Co. The bill has been amended so as to make clear that appropriations made to the Bureau of Reclamation shall be available for the Government's portion of the salaries and expenses.

The Wauneta, Nebr., Light & Power Co. dam was acquired by the United States in 1949 as a part of its program for constructing Enders Dam and Reservoir, which is a feature of the Missouri River Basin project authorized by the Congress in the Flood Control Act of 1944 to be constructed, operated, and maintained by the Interior Department under the Federal reclamation laws. The dam stores water for irrigation and for flood control and is located on Frenchman Creek, upstream from the power company dam. The creek flows through the village of Wauneta, and the major portion of the village and business district lie in a flat area south and west of the creek. The Bureau of Reclamation demolished the dam on this creek, causing silt and sand which had accumulated behind the dam to move downstream, which, in turn, resulted in the lowering of the normal water surface of the creek near the business district and the raising of it adjacent to the residential district. All attempts to flush this deposition have failed, with the result that the water supply and storm and sewer facilities of the village have been damaged, and it has been necessary for the village to install additional line and pumping facilities, at considerable cost. On the basis of the latest figures presented to the committee, the bill has been amended from the original amount of $82,500 to $76,750 as the maximum amount to be paid the village, which figure is arrived at as follows:

Costs incurred (additional line, pumping facilities, etc.) to June 1955	$10,133
Estimated cost permanent installations (storm and sanitary closures)	9,175
Estimate of present value of annuity at interest rate of 1½ percent for annual operating costs over 50 years	51,800
Additional expense caused by flood in 1956	5,642
Total	76,750

The Department of the Interior advises that there is no substantial dispute with respect to the facts giving rise to this claim nor with respect to the reasonableness of the Government's compensating the village for costs arising out of the Government's activities, notwithstanding lack of legal liability therefor.

In view of the fact that an attorney has rendered substantial services in connection with this claim, the provision for an attorney's fee not to exceed 10 percent of the amount of the award has been retained in the bill.

In view of the undisputed fact that it has suffered damages occasioned by the Government's activities, the committee feels that the village is equitably entitled to relief and, therefore, recommends that the bill, as amended, be favorably considered.

Mr. GOLDWATER. I have no objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1733) for the relief of Philip Cooperman and others was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object—and I do object—let me say that the bill appears to have great merit. But since it relates to an income-tax case, in the opinion of the minority calendar committee it is not

proper consent-calendar business, but, instead, should be brought up by motion.

For that reason, and that reason only, I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

SERGEANT BLUFF CONSOLIDATED SCHOOL DISTRICT

The bill (H. R. 1942) for the relief of the Sergeant Bluff Consolidated School District was considered, ordered to a third reading, read the third time, and passed.

JOHN R. HILL

The bill (H. R. 3588) for the relief of John R. Hill was considered, ordered to a third reading, read the third time, and passed.

MRS. JENNIE B. PRESCOTT

The bill (H. R. 4730) for the relief of Mrs. Jennie B. Prescott was considered, ordered to a third reading, read the third time, and passed.

JUANITA GIBSON LEWIS

The bill (H. R. 5718) for the relief of Juanita Gibson Lewis was considered, ordered to a third reading, read the third time, and passed.

MRS. LIDIE KAMMAUF

The Senate proceeded to consider the bill (H. R. 1864) for the relief of Mrs. Lidie Kammauf which had been reported from the Committee on the Judiciary with an amendment on page 2, line 6, after the word "jurisdiction", to strike out "upon" and insert "under".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LILLIAN SCHLOSSBERG

The Senate proceeded to consider the bill (H. R. 3440) for the relief of Lillian Schlossberg which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 2401 (b) of title 28, United States Code, jurisdiction is hereby conferred on the United States District Court for the Eastern District of New York to hear, determine, and render judgment on the tort claim of Mr. and Mrs. Allan Schlossberg, of Brooklyn, N. Y., arising out of an accident involving a United States Army vehicle on December 8, 1945, in the vicinity of Canal Street and West Broadway, New York, N. Y.

SEC. 2. Suit upon such claim may be instituted hereunder not later than 6 months after the date of the enactment of this act: *Provided, however,* That nothing contained in this act shall be constructed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act for the relief of Mr. and Mrs. Allan Schlossberg."

BILL PASSED OVER

The bill (S. 734) to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes, was announced as next in order.

Mr. PURTELL. Reserving the right to object, I wish to make it clear that the minority calendar committee is very much in favor of the proposed legislation. But because of the amount involved, which is roughly $328 million, we feel this measure is not proper consent-calendar business. For that reason, and that reason only, we object to consideration of the bill during the call of the consent calendar, but hope the bill will be passed when it is brought up by way of motion.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY

The resolution (S. J. Res. 95) granting the consent of Congress to an agreement between the State of New York and Canada, for the continued existence of the Buffalo and Fort Erie Public Bridge Authority was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the consent of Congress is given to the State of New York to enter into the agreement or compact with the Government of Canada, which is set forth in chapter 259 of the laws of New York, 1957, and provides for the continuation of the Buffalo and Fort Erie Public Bridge Authority as a municipal instrumentality of such State with power to maintain and operate the highway bridge over the Niagara River between the city of Buffalo in such State and the city of Fort Erie, Ontario, Canada.

SEC. 2. The joint resolution entitled "Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada," approved July 27, 1956 (70 Stat. 701) is repealed.

SEC. 3. The right to alter, amend, or repeal this joint resolution is expressly reserved.

CORREGIDOR-BATAAN MEMORIAL COMMISSION

The Senate proceeded to consider the bill (S. 538) to amend Public Law 298, 84th Congress, relating to the Corregidor-Bataan Memorial Commission, and for other purposes, which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That the act entitled "An act to create a Commission to be known as the Corregidor-Bataan Memorial Commission," approved August 5, 1953 (67 Stat. 366), as amended, is amended as follows: By inserting immediately after the subparagraph "(f)" of the new third paragraph in Public Law 298 the following additional subparagraphs:

"(g) Notwithstanding section 2 of the act of July 31, 1894, as amended (5 U. S. C. 62), section 212 of the act of June 30, 1932, as amended (5 U. S. C. 59a) or any other Federal law, one retired officer of the services mentioned in the Career Compensation Act of 1949 may be appointed to any civilian office or position in the Corregidor-Bataan Memorial Commission created by the act of August 5, 1953, as amended (36 U. S. C. 426), for a period of not to exceed 5 years, and receive retired pay as a retired officer and civilian compensation concurrently. The retired status, office, rank, or grade such retired officer may occupy or hold, or any emolument, prerequisite, right, privilege, or benefit, incident or arising out of such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in such Commission.

"(h) The Commission may employ, for a period of not to exceed 5 years, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRANSFER OF OWNERSHIP OF BRIDGE TO ALLEGANY COUNTY, MD.

The bill (S. 620) to transfer ownership to Allegany County, Md., of a bridge loaned to such county by the Bureau of Public Roads was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That all right, title, and interest of the United States to the Bailey bridge at Corriganville, Md., which was loaned to Allegany County, Md., in 1946 by the Bureau of Public Roads of the Department of Commerce, is hereby transferred to such county.

NAMING OF BUILDINGS UNDER CUSTODY AND CONTROL OF GENERAL SERVICES ADMINISTRATION

The bill (S. 2108) to amend the Public Buildings Act of 1949, to authorize the Administrator of General Services to name, rename, or otherwise designate any building under the custody and control of the General Services Administration was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 410 of the Public Buildings Act of 1949, as amended (40 U. S. C. 298d), is hereby amended to read as follows:

"SEC. 410. The Administrator of General Services is authorized, notwithstanding any other provision of law, to name, rename, or otherwise designate any building under the custody and control of the General Services Administration, regardless of whether it was previously named by statute."

EXTENSION OF AUTHORIZED TAKING AREA FOR PUBLIC BUILDING

The bill (S. 2109) to amend an act extending the authorized taking area for public building construction under the Public Buildings Act of 1926, as amended, to exclude therefrom within E and F Streets and 19th Street and Virginia Avenue NW., in the District of Columbia, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of March 31, 1938 (ch. 58 (52 Stat. 149)) is amended by deleting, following the term "squares", the numbers "122, 104, 81, 58."

SALE OF CERTAIN LANDS AT THE McNARY LOCK AND DAM PROJECT

The bill (S. 2217) to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized to convey to the port of Walla, Walla, Wash., subject to the provisions in section 2 of this act, all of the right, title, and interest of the United States in and to three parcels of real property comprising a part of the McNary lock and dam project on the Columbia River, Oreg., and Wash., containing in the aggregate approximately 441.62 acres of land which is currently being utilized by the port of Walla Walla, Wash., under lease from the Secretary of the Army.

SEC. 2. The conveyance herein authorized shall be made at the fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary in the public interest and to assure that the use of the land will not interfere with the operation of the McNary lock and dam project.

Mr. CLARK. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] may be allowed to file a statement explaining his views on the bill which has just been passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF SENATOR MORSE ON S. 2217

This bill would authorize the Secretary of the Army to convey to the Port of Walla Walla, Wash., approximately 442 acres of land located on the Washington side of the McNary Dam project.

The conveyance would be made upon payment of the "fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary in the public interest and to assure that the use of the land will not interfere with the operation of the McNary lock and dam project."

In view of the requirement for the payment of the full market value of the land in question, the transfer is not objectionable under the so-called Morse formula.

EMERGENCY FLOOD-CONTROL WORK

The bill (S. 2228) to amend section 5 of the Flood Control Act of August 18, 1941, as amended, pertaining to emergency flood-control work was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 5 of the Flood Control Act of August 18, 1941, as amended by act of June 28, 1955 (33 U. S. C. 701n), is hereby further amended to read as follows:

"That there is hereby authorized an emergency fund in the amount of $15 million to be expended in (a) planning, administrative, and supply activities in preparation for flood fighting and rescue operations, (b) emergency repair of any flood-control work threatened by an imminent flood, including such strengthening, raising, extending or other modification thereof as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the work of flood control during the anticipated flood, (c) flood fighting and rescue operations, and (d) the restoration of preflood condition of flood protection, with any minor improvements considered necessary, of any flood-control work destroyed by flood or damaged sufficiently that destruction, in the opinion of the Chief of Engineers, might occur during a flood for which it was designed to provide protection, or (e) the removal of debris and deposits from waterways to the extent necessary, in the discretion of the Chief of Engineers, to restore their preflood capacity for carrying flood flows. The Chief of Engineers is hereby authorized to determine requirements of local participation in aforementioned work and may accomplish at local expense such additional work as he may consider advantageous to the interest of flood control, and further is hereby authorized to receive from local interests the required contributed funds: *And provided further,* That when contributions made by local interests are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Chief of Engineers, be returned to the proper representative of the contributing interests. The appropriation of such moneys as may be necessary for the initial establishment of this fund and for its replenishment is hereby authorized: *Provided,* That pending the appropriation to or replenishment of said fund, the Secretary of the Army may allot, from existing flood-control appropirations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriation herein authorized when made. The Chief of Engineers is authorized, in the prosecution of work in connection with rescue operations, or in conducting other flood emergency work, to acquire on a rental basis such motor vehicles, including passenger cars and buses, as in his discretion are deemed necessary."

RATES OF TOLL FOR USE OF BRIDGE ACROSS THE MISSOURI RIVER NEAR RULO, NEBR.

The bill (S. 2441) to amend the act of March 4, 1933, to extend by 10 years the period prescribed for determining rates of toll to be charged for use of the bridge across the Missouri River near Rulo, Nebr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (e) of section 5 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States," approved March 4, 1933 (47 Stat. 1556), as amended by the act of June 19, 1948 (62 Stat. 497), is further amended (1) by striking out "and financing" and inserting ", financing, and refinancing", and (2) by striking out "30 years" and inserting "40 years."

ALBENI FALLS RESERVOIR PROJECT, IDAHO

The bill (S. 1003) to provide for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or interests therein to the former owners thereof, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a), in order to provide for adjustments in the lands or interests in land heretofore acquired for the Albeni Falls Reservoir project to conform such acquisition to a lesser estate in lands now being acquired to complete the real estate requirements of the project, the Secretary of the Army is authorized to reconvey any such land or interests in land heretofore acquired to the former owners thereof whenever (1) he shall be determined that such land or interest is not required for project purposes, (2) he shall have received a written statement from such agency or person as may be designated by the Governor of the State of Idaho that the reconveyance of such property is in the best interest of the State, and (3) he shall have received an application for reconveyance as hereinafter provided.

(b) Any such reconveyance of any such land or interest shall be made only after the Secretary (1) has given notice in such manner (including publication) as he shall by regulation prescribe, to the former owner of such land or interest, and (2) has received an application for the reconveyance of such land or interest from such former owner, in such form as he shall by regulation prescribe, within a period of 90 days following the date of issuance of such notice.

(c) Any reconveyance of land or interest therein made under this act shall be subject to such exceptions, restrictions, and reservations (including a reservation to the United States of flowage rights) as the Secretary may determine are in the public interest.

(d) Any land or interest therein reconveyed under this act shall be sold for an amount determined by the Secretary to be equal to the price for which the land was acquired by the United States, adjusted to reflect (1) any increase in the value thereof resulting from improvements to the land made by the United States, and (2) any decrease in the value thereof resulting from (A) any reservation, exception, restriction, and condition to which the reconveyance is made subject, and (B) any damage to the land or interest therein caused by the United States. In addition, the cost of any surveys necessary as an incident of such reconveyance shall be borne by the grantee.

(e) The requirements of this section shall not be applicable with respect to the disposition of any land, or interest therein, described in subsection (a) if the Secretary shall certify (1) that notice has been given to the former owner of such land or interest as provided in subsection (b), and that no qualified applicant has made timely application for the reconveyance of such land or interest, or (2) that within a reasonable time after receipt of a proper application for reconveyance of such land or interest the parties have been unable to reach a satisfactory agreement with respect to the reconveyance of such land or interest.

(f) As used in this section, the term "former owner" means the person for whom any land, or interest therein, was acquired by the United States, or if such person is de-

ceased, his spouse, or if such spouse is deceased, his children.

SEC. 2. The Secretary of the Army may delegate any authority conferred upon him by this act to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

SEC. 3. Any proceeds from reconveyances made under this act shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 4. This act shall terminate 3 years after the date of its enactment.

Mr. CLARK. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] may be permitted to file an explanation with reference to Calendar No. 749.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF SENATOR MORSE ON S. 1003

This bill would authorize the Secretary of the Army to reconvey to any former owner, or the surviving spouse, or if such spouse is deceased, his children, any lands or interest in the Albeni Falls Reservoir project, Idaho, no longer required for project purposes.

Such reconveyance would be conditioned upon payment to the United States of original acquisition cost, plus the value of any improvements placed thereon by the Government, less any damage caused by the Government.

This bill is similar to Public Law 300 and Public Law 312 of the 84th Congress relative to the Jim Woodruff and Demopolis Dams. In view of the similarity of this bill to the 1955 legislation involved in Public Law 300 and Public Law 312, the same type of action would appear to be warranted in this case.

LAKE TSCHIDA, N. DAK.

The Senate proceeded to consider the bill (S. 1785) designating the reservoir located above Heart Butte Dam in Morton County, N. Dak., as Lake Tschida, and for other purposes, which had been reported from the Committee on Public Works with an amendment at the beginning of line 4, to strike out "Morton" and insert "Grant", so as to make the bill read:

Be it enacted, etc., That the reservoir located above the Heart-Butte Dam in Grant County, N. Dak., shall hereafter be known as Lake Tschida, and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to shall be held to refer to such reservoir under and by the name of Lake Tschida.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill designating the reservoir located above Heart-Butte Dam in Grant County, N. Dak., as Lake Tschida, and for other purposes."

WATER SUPPLY FOR THE CITY OF SHERMAN, TEX.

The bill (H. R. 3996) to authorize the utilization of a limited amount of storage space in Lake Texoma for the purpose of water supply for the city of Sherman, Tex., was considered, ordered to a third reading, read the third time, and passed.

CHANGING THE NAME OF JIM WOODRUFF DAM TO LAKE SEMINOLE, FLA.

The bill (H. R. 3077) that the lake created by the Jim Woodruff Dam on the Apalachicola River located at the confluence of the Flint and Chattahoochee Rivers be known as Lake Seminole was considered, ordered to a third reading, read the third time, and passed.

CHARLES A. SIDAWI

The bill (S. 976) for the relief of Charles A. Sidawi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Charles A. Sidawi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

EITHANIAHU (ETON) YELLIN

The bill (S. 1293) for the relief of Eithaniahu (Eton) Yellin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eithaniahu (Eton) Yellin, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LOUIS GLAROS

The bill (S. 1435) for the relief of Louis Glaros was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Louis Glaros shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ANGELOS KARYDIS AND WIFE

The bill (S. 1861) for the relief of Angelos Karydis and his wife, Maria Karydis, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Angelos Karydis and his wife, Maria Karydis, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

BELIA RODRIGUEZ TERNOIR

The bill (S. 1902) for the relief of Belia Rodriguez Ternoir was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (12) of the Immigration and Nationality Act, Belia Rodriguez Ternoir, wife of an American citizen, may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided,* That the exemption provided for in this act shall apply only to the grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

JOZICE MATANA KOULIS AND DAVORKO MATANA KOULIS

The bill (S. 2003) for the relief of Jozice Matana Koulis and Davorko Matana Koulis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Jozice Matana Koulis and Davorko Matana Koulis, shall be held and considered to be the natural-born alien children of Pauline Roduj Koulis, a citizen of the United States.

NOBUKO HAMASAKI FAWCETT

The Senate proceeded to consider the bill (S. 66) for the relief of Nobuko Hamasaki Fawcett which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Nobuko Hamasaki Fawcett may be issued a visa and be admitted to the United States for permanent residence if otherwise admissible under the provisions of that act under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of that act: *And provided further,* That this exemption shall apply only to grounds for exclusion known to the Department of State or the Department of Justice prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HANS PAUL LANGE

The Senate proceeded to consider the bill (S. 137) for the relief of Hans Paul

Lange which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Hans Paul Lange may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA HUBER VAVRA

The Senate proceeded to consider the bill (S. 402) for the relief of Martha Huber Vavra which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Martha Huber Vavra may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of Justice or the Department of State has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOWARD I. BUCHBINDER

The Senate proceeded to consider the bill (S. 662) for the relief of Howard I. Buchbinder which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Howard I. Buchbinder shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THERESA GLOEBL CLARK

The Senate proceeded to consider the bill (S. 1154) for the relief of Theresa Gloebl Clark which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Theresa Gloebl Clark may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL ALCIDE CHARLEBOIS

The Senate proceeded to consider the bill (S. 1271) for the relief of Daniel Alcide Charlebois which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Daniel Alcide Charlebois shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARMEN JEANNE LAUNOIS JOHNSON

The Senate proceeded to consider the bill (S. 1308) for the relief of Carmen Jeanne Launois Johnson which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Carmen Jeanne Launois Johnson may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WOLFGANG JOCHIM HERMAN SCHMIEDCHEN

The Senate proceeded to consider the bill (S. 1414) for the relief of Wolfgang Jochim Herman Schmiedchen which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "act", to strike out the comma and "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Wolfgang Jochim Herman Schmiedchen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

XAVIER ARREGUIN (BLANCO)

The Senate proceeded to consider the bill (S. 1617) for the relief of Xavier Arreguin (Blanco) which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Xavier Arreguin (Blanco) may be issued a visa and be admitted to the United States for permanent residence is he is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RENEE JULIETTE DUBUC WHITBREAD

The Senate proceeded to consider the bill (S. 1625) for the relief of Renee Juliette Dubuc Whitbread which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Renee Juliette Dubuc Whitbread may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. TRANTOW

The Senate proceeded to consider the bill (S. 1654) for the relief of Mary E. Trantow which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Mary E. Trantow may be issued a visa and be admitted to the United States for

permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BARBARA WOODWARD LUCKETT

The Senate proceeded to consider the bill (S. 1934) for the relief of Barbara Woodward Luckett which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be," to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Barbara Woodward Luckett may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LETIZIA MARIA ARINI

The Senate proceeded to consider the bill (S. 1972) for the relief of Letizia Maria Arini which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted etc., That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Letizia Maria Arini may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOR THE RELIEF OF CERTAIN ALIENS

The bill (S. 2095) for the relief of certain aliens was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik."

VISIT TO SENATE BY OFFICIAL DELEGATION FROM PARLIAMENT OF GREAT BRITAIN TO JAMESTOWN CELEBRATION

Mr. KEFAUVER. Mr. President, the House of Representatives and the Senate, as do all the American people, always welcome our friends from Great Britain. The Senate is indeed privileged and honored to have as our guests today members of the delegation from the House of Parliament to the Jamestown celebration.

I ask that the business of the Senate be suspended long enough to introduce the members of this distinguished delegation and to give the Members of the Senate an opportunity of meeting them.

Mr. President, the head of the delegation is the Right Honorable James Stuart, M. V. O., M. C., M. P., whom I should like to present at this time, and the other visitors are the Right Honorable G. A. Isaacs; M. P.

The Earl of Dundee, J. P., Member of the House of Lords;

The Earl of Lucan, M. C., Member of the House of Lords;

The Honorable Sir Cyril Osborne, M. P.;

Mr. J. E. MacColl, J. P., M. P.;

Mr. J. S. Arbuthnot, M. B. E., T. D., M. P.; and

Sir Lynn Ungoed-Thomas, Q. C., M. P.

[As their names were read the distinguished visitors rose in their places in the seats of Senators to the left of the center of the aisle, and were greeted with applause.]

Mr. ALLOTT. Mr. President, I wish to take this opportunity, when very sad circumstances have kept our minority leader from being with us today, to welcome our distinguished friends, not only to this country but to this body of the Congress. A recent debate which has occurred in the Senate has reminded us again, very forcefully, of the many ties of long standing and the many common interests between Great Britain and the United States, not only in the past but which we hope will continue in the days to come. Therefore, on behalf of the Members of the Senate on this side of the aisle, I welcome you all. I hope you have found inspiration and enjoyment in your visit to Jamestown and to our country.

Mr. ROBERTSON. Mr. President, at the outset I express the regret of the senior Senator from Virginia [Mr. BYRD] that he could not be present to join with me in extending greetings to a distinguished group of statesmen from Great Britain who have come to this country primarily to join in a celebration at Jamestown of the anniversary on July 30 of the first meeting of a legislative body, in 1619, ever held on the North American Continent.

The junior Senator from Virginia was interested to read that the distinguished Chief Justice of the United States last week, in response to the gracious reception accorded in Great Britain to American lawyers, expressed his deep appreciation of the gift of Great Britain of English jurisprudence, which he said went to Plymouth Rock with the Pilgrim Fathers. Of course, we are glad the Pilgrim Fathers brought over the English language and the English jurisprudence, but we are just a little proud that the delegation visiting the Senate today came to our country to celebrate the fact that the first settlement took place before the landing at Plymouth Rock, and the first legislative assembly took place on this continent before the celebrated Pilgrim Fathers ever reached our shores.

Our distinguished visitors, whether they represent the Labor Party or the Conservative Party, whether from the House of Lords or the House of Commons, represent Great Britain. I can assure them that, whatever party they belong to, we in the United States appreciate the friendship which has existed between our two countries for such a long period. We in Virginia still call Great Britain the mother country. We are grateful for the friendship which has existed, not only between the mother country and our country but between us and all English-speaking people, because we feel such friendship promotes the perpetuity of free institutions in the world.

Even though we may occasionally have our disagreements, for example, over who is to get oil from the Middle East, how it is to be carried through the Suez Canal, who is to pay for it; whether we place a high tariff on English woolen goods, whether we engage in trade in a spirit of trade, and not aid, I want our distinguished guests to know that, basically, we appreciate their friendship, and we do not intend to permit anything to break up or weaken our friendship not only with the people of the British Isles, but those of our wonderful neighbor to the north, Canada, and with the remarkably fine and brave people of Australia and New Zealand. We knew them as Allies in World War I. We knew them as Allies in World War II. We knew them as Allies in the Korean hostilities. We know that their attitude toward the encroachment of communism is the same as ours. We speak the same language, and that is a great help. We have the same concept of the dignity of man. We have the same legal institutions.

In recent days I have been pleased to make reference on the floor of the Senate to Magna Carta, a great instrument going back to 1215, a copy of which is now at Jamestown, not the first one, but the second or third one. I read that it was said that King John never signed the Magna Carta. It was written in Latin, and he could not read Latin. That is one factor. Secondly, it was said King John could not read or write, anyway. But he placed his seal on it. He tried to back away from it; he tried to induce the Pope to support his position; but those who wanted the right to be tried by juries of their peers were determined not to let the King retreat. The principle of having those charged with offenses tried by juries of their peers was handed down to us and was adopted in this country as a part of our Constitution. That was the principle involved in the fight recently made on the floor of the Senate. We said it was a cherished English right which we did not intend to give up.

I say to our friends that we are richly indebted to their country for many things. We are proud to have you here. One or two of our colleagues wish to speak in appreciation of your visit to the

Senate. The distinguished Senator from New Mexico [Mr. CHAVEZ] has said he cannot claim to be English or Scotch, as I can claim to be a little English and Scotch. He does not claim to be anything but pure Spanish, but he is all American, and he is friendly toward the English. After all, this country has been pretty much of a melting pot. We do not follow religious or racial trends. We are all good Americans. After your friends here have expressed their appreciation of your presence, I will ask you to approach the Vice President's desk, so that all Members of the Senate present may have the pleasure of greeting you.

Mr. CHAVEZ. Mr. President, I am very happy that the Senator from Virginia [Mr. ROBERTSON], a descendent of the original Britishers in our country, was able to welcome our good friends from England.

Let me say also, Mr. President—may there always be an England. I do not say that because I have any British background whatsoever, but because I believe in the English idea of liberty. None of my ancestors came from England or Scotland. My ancestry is entirely Spanish. But, by the grace of God, I am an American first, before I am of Spanish descent. I want everyone to realize that.

We love England. We love the English idea of liberty and ways of thinking. We will always love England. Throughout the years we want everyone to know that England will always be free, and that sooner or later all the other nations of the world will be free.

I ask our distinguished guests: Is that not what you are here for? You are not here to extol England as such. I am sure you are not here for that purpose. You are here to represent England as a great freedom-loving nation.

May God bless England, and may she continue to be our friend.

Mr. STENNIS. Mr. President, as acting majority leader, speaking for the majority leader, who regrets very much that because of the death of an esteemed former Member of the Senate he could not be here today, I, too, wish to add a special word of welcome to our friends. There is never a half hour of debate or thought on this floor when we are not very pleasantly reminded of the great bonds between our country and Great Britain, and the fact that our heritage in large part comes from England.

We unanimously passed a short time ago a bill to authorize four Members of our body to attend the general meeting of the Commonwealth Parliamentary Association, to be held this year in India. I once had the honor of attendance with that group. It was one of the great experiences of my life to attend the meeting of that association held in Canada.

I do not believe there is any significance to be found in the fact that all of you gentlemen happen to be sitting on the same side of the aisle today.

We are very glad indeed to have you here. We hope you will come again. You will find the same bonds here then that you find now.

Mr. President, if I am in order, I suggest that our distinguished guests stand in the well of the Senate so that Senators may greet them.

The PRESIDING OFFICER. There is one more Senator who desires to say a word.

Mr. STENNIS. I thank the Chair very much.

Mr. PURTELL. Mr. President, as a Senator, of course I am delighted to have the opportunity to say "welcome" to our friends, the distinguished members of the Parliament of Great Britain. I am also delighted to know that in their midst is one member of Parliament who traveled with me through Russia, Poland, East Germany, and Finland. Since this opportunity has been granted me, I deem it only proper that I thank the British delegation to the Interparliamentary Union, through Sir Cyril Osborne, for the marvelous help they have extended to us in our meetings, wherever they have been held.

I think it is significant, Mr. President, that while the esteemed gentlemen visiting from the Parliament of England were brought into the Chamber by a member of the majority, he felt it proper in making the seating arrangement to have these distinguished gentlemen placed on the minority side.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. PURTELL. I am happy to yield.

Mr. KEFAUVER. I do not want any Member of the Senate or occupant of the gallery to feel that, because all these gentlemen happen to sit on the minority side of the Chamber, they are Conservatives in the Parliament of Great Britain.

As a matter of fact, as is right and proper, 4 of 7 Members—Lord Lucan, Mr. MacColl, Sir Lynn Ungoed-Thomas, and Mr. Isaacs—are members of the Labor Party. By right, they should be seated on this side of the Chamber. This demonstrates that, when referring to our friends in England, we know no party lines in the Congress of the United States.

Mr. PURTELL. I am sure that is correct, but I think it also demonstrates that the Senator from Tennessee recognized he could show our visitors no greater honor than to put them on the Republican side. [Laughter.]

It is indeed a happy occasion when I can again say "Hello," to Sir Cyril Osborne. I think I left him in East Berlin last year. I wish again to say that I hope, Sir Cyril, you will extend to your fellow members of the Interparliamentary Union our deep appreciation for the great help and understanding they have manifested toward us and the purpose of the Interparliamentary Union.

Mr. ROBERTSON. Mr. President, I wish to explain to our guests, who perhaps do not know the names and the States of the Senators who have spoken, that they have heard from all sections of our country in this brief period of time.

As the acting host, so to speak, coming from Virginia, I can speak for the Middle Atlantic States. Our friend, the Senator from Colorado [Mr. ALLOTT], spoke for the Rocky Mountain States. Our friend, the Senator from New Mexico [Mr. CHAVEZ], spoke for the Southwestern States. Our friend, the Senator from Mississippi [Mr. STENNIS], spoke for the Deep South. And our friend, the Senator from Connecticut [Mr. PURTELL], spoke for New England. Therefore, you gentlemen have heard from and been welcomed by Senators from all parts of the United States.

Mr. KEFAUVER. Mr. President, after we have given the members of our distinguished visiting delegation an opportunity to meet the Members of the Senate, they are invited to repair to the Vice President's office. I state that for the information of Senators who wish to talk in more detail with any members of the delegation, or any members of the press who wish to meet with the delegation.

The PRESIDING OFFICER (Mr. COTTON in the chair). The Chair will state to the distinguished visitors that they doubtless know that today the Senate is engaged in routine business. During the routine business the Chair is temporarily occupied by one of the less important Members of the Senate.

The President of the Senate is the distinguished Vice President of the United States. I regret that he is not occupying the chair today to welcome officially our distinguished guests.

The Chair knows the President pro tempore of the Senate, the distinguished Senator from Arizona [Mr. HAYDEN], will equally regret that he was not occupying the chair at this time.

In the absence of the Vice President and the President pro tempore, the present occupant of the chair joins in bidding our distinguished guests welcome. Without objection the Senate will stand in recess subject to the call of the Chair, while the Members of the Senate have the opportunity to meet our visitors, who will be introduced by the distinguished Senator from Virginia [Mr. ROBERTSON] and the Senator from Tennessee [Mr. KEFAUVER].

Mr. ROBERTSON. Mr. President, I will ask the delegation to assemble according to its own protocol.

Thereupon (at 2 o'clock and 28 minutes p. m.) the Senate took a recess subject to the call of the Chair.

During the recess the members of the visiting delegation from the British Parliament were greeted by Members of the Senate, who were presented by Mr. ROBERTSON and Mr. KEFAUVER.

On the expiration of the recess, at 2 o'clock and 33 minutes p. m., the Senate reassembled, and was called to order by the Presiding Officer (Mr. COTTON in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 236. An act to amend section 6 of the act of June 20, 1918, as amended, relating to the retirement pay of certain members of the former Lighthouse Service;

S. 334. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended (30 U. S. C. 184), in order to promote the development of phosphate on the public domain;

S. 943. An act to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicle

to file with the Interstate Commerce Commission their actual rates or charges for transportation services;

S. 1063. An act vesting in the American Battle Monuments Commission the care and maintenance of the Surrender Tree site in Santiago, Cuba;

S. 1489. An act to amend title 14, United States Code, entitled "Coast Guard", with respect to warrant officers' rank on retirement, and for other purposes;

S. 1492. An act increasing penalties for violation of certain safety and other statutes administered by the Interstate Commerce Commission;

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356);

S. 1884. An act to amend section 505 of the Classification Act of 1949, as amended; and

S. 1941. An act to authorize the payment by the Bureau of Public Roads of transportation and subsistence costs to temporary employees on direct Federal highway projects.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 32) favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.

JAIME CABRERA BERNAL

The PRESIDING OFFICER. The clerk will state the next order of business on the calendar.

The Senate proceeded to consider the bill (S. 1477) for the relief of Jaime Cabrera Bernal, which had been reported from the Committee on the Judiciary with amendments, in line 5, after the word "be", to insert "issued a visa and be", and, in line 10, after the word "Justice", to strike out "have" and insert "has", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Jaime Cabrera Bernal may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALVATORE SALERNO

The Senate proceeded to consider the bill (S. 1910) for the relief of Salvatore Salerno, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "be", to insert "issued a visa and be"; in line 9, after the word "section", to strike out "313" and insert "213", and, in line 10, after the word "act", to insert a colon and *"And provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act"; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Salvatore Salerno may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 171) favoring the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 4, line 24, after the name "Boyan", to strike out "Petroff" and insert "Petkoff", and, on page 5, after line 11, to insert:

A–7863025, Dzirkalis, Nadina.
A–6460780, Gralewska, Alicja Iwanska.
A–7983406, Jong, Siaw Kia.
A–8091312, Kwong, Wong.
A–8039679, Yen, Her Dah.
A–10290659, Wah, Lok.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

ABRAM VAN HEYNINGEN HARTENDORP

The bill (H. R. 1701) for the relief of Abram van Heyningen Hartendorp, was considered, ordered to a third reading, read the third time, and passed.

MARIAN DIANE DELPHINE SACHS

The bill (H. R. 5721) for the relief of Marian Diane Delphine Sachs, was considered, ordered to a third reading, read the third time, and passed.

KENNETH F. AILES

The bill (H. R. 3344) for the relief of Kenneth F. Ailes, was considered, ordered to a third reading, read the third time, and passed.

ROBERT B. PETERMAN

The bill (H. R. 5365) for the relief of Robert B. Peterman was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation, was announced as next in order.

Mr. CLARK. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

WALTER H. BERRY

The bill (H. R. 6961) for the relief of Walter H. Berry was considered, ordered to a third reading, read the third time, and passed.

PROCLAMATION OF CENTENNIAL OF BIRTH OF THEODORE ROOSEVELT

The joint resolution (S. J. Res. 18) to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the joint resolution entitled, "Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt," approved July 28, 1955 (69 Stat. 348), is amended by adding at the end thereof the following new section:

"SEC. 9. The President is authorized and requested to issue a proclamation, inviting the people of the United States to observe the centennial anniversary of the birth of Theodore Roosevelt, which will occur in 1958, with appropriate ceremonies and activities during that year."

COMMEMORATION OF THE QUADRICENTENNIAL ANNIVERSARY OF THE ESTABLISHMENT OF FIRST SETTLEMENT IN FLORIDA

The concurrent resolution (H. Con. Res. 117) to commemorate the quadricentennial anniversary of the establishment of the first settlement in Florida was considered and agreed to.

REGULATIONS RESPECTING VESSELS CARRYING FREIGHT FOR HIRE ON CERTAIN ALASKAN INLAND WATERS

The Senate proceeded to consider the bill (S. 1798) to amend section 4462 of the Revised Statutes, as amended, with respect to certain vessels carrying freight for hire on the inland waters of southeastern Alaska, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That the third sentence of section 4426 of the Revised Statutes, as amended (34 Stat. 193; 46 U. S. C. 404), is hereby amended by adding the following proviso at the end thereof: *"Provided, further,* That no vessel under 150 gross tons, owned by or demise chartered to any cooperative or association, shall be deemed to be carrying freight for hire within the meaning of this section, if such vessel is engaged solely in transporting cargo owned by any one or more of the members of such cooperative or association on a nonprofit basis (1) to or from places within the inland waters of southeastern Alaska, as defined pursuant to section 2 of

the Act of February 19, 1895, as amended (28 Stat. 672; 33 U. S. C. 151), and Prince Rupert, British Columbia; or (2) to or from places within said inland waters of southeastern Alaska not receiving weekly transportation service on an annual basis from any part of the United States by an established common carrier by water and places within the inland waters of the State of Washington, as also defined pursuant to such Act of February 19, 1895, as amended, via sheltered waters, as defined in article I, of the treaty between United States and Canada defining certain waters of the west coast of North America as sheltered waters, dated December 9, 1933; or (3) from all places located within said inland waters of southeastern Alaska to places within the said inland waters of the State of Washington via said sheltered waters with respect to cargo of a character not accepted for transportation by an established common carrier by water thereat."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington."

RELIEF OF SURGEONS GENERAL OF CERTAIN RESPONSIBILITIES OUTSIDE DEPARTMENT OF DEFENSE

The bill (S. 2006) to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 4818 (a) of the Internal Revenue Code of 1954 is amended by striking out the designation "(a)" in the first line thereof.

(b) Subsections (b) and (c) of section 4818 of the Internal Revenue Code of 1954 are repealed.

(c) Section 4835 of the Internal Revenue Code of 1954 is repealed.

SEC. 2. Section 351 (d) of the Public Health Service Act (58 Stat. 702; 42 U. S. C. 262 (d)) is amended by striking out the words "made jointly by the Surgeon General, the Surgeon General of the Army, and the Surgeon General of the Navy, and approved by the Administrator."

CONSTRUCTION OF SEWER AND WATER FACILITIES FOR THE ELKO INDIAN COLONY, NEVADA

The bill H. R. 5953) to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7540) to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island was announced as next in order.

Mr. ALLOTT. Over.

The PRESIDING OFFICER. The bill will be passed over.

EVALUATION AND WAIVER OF COLLECTION OF CERTAIN FINANCIAL ASSISTANCE LOANS

The bill (S. 747) to authorize the Secretary of State to evaluate and to waive collection of certain financial assistance loans, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of State is authorized, upon the approval of the Comptroller General, to evaluate claims of the United States, and, where necessary, to waive collection of all or part of such claims, arising as a result of loans heretofore granted for financial assistance, repatriation and other approved purposes, made from funds available to the Department of State for emergencies in the diplomatic and consular service.

Mr. JAVITS. Mr. President, with respect to the bill just passed, Calendar 788, Senate bill 747, I hope the Secretary of State will give attention to the statement I find in the report, which relates to a certain amount of increase in these loans by virtue of what are alleged to be inequitable rates of exchange fixed by the Japanese Government during the war, under which we spent a great deal of money in order to help those being held in confinement at that time.

In settling our claims with the Japanese Government, I hope very much the Secretary of State will give that item consideration.

The PRESIDING OFFICER. The clerk will state the next order of business on the calendar.

BACK COVE, PORTLAND, MAINE

The bill (H. R. 4511) to declare a certain portion of Back Cove at Portland, Maine, to be nonnavigable water of the United States was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

The bill (H. R. 8053) to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians was considered, ordered to a third reading, read the third time, and passed.

Mr. CASE of South Dakota subsequently said: Mr. President, I temporarily left the Chamber at the time of the reception——

The PRESIDING OFFICER. The Chair is unable to hear Senators. The Senate will be in order. Senators will cease their conversations.

Mr. CASE of South Dakota. At the time of the recess, when we received our guests from the British Parliament, I went into the lobby with the distinguished guests. By the time I returned to the Chamber, the clerk had called Calendar 790, H. R. 8053. I had desired to ask a question or two relative to the bill. Therefore, I ask unanimous consent that the Senate reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent that the Senate reconsider the vote by which it passed order No. 790, H. R. 8053.

The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8053) to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

Mr. CASE of South Dakota. Mr. President, reserving the right to object to the consideration of the bill, I should like to address an inquiry to Senators on the objectors' committee, or to whoever may be in a position to answer.

The bill on its face, and according to the memorandum which I understand was prepared for the objectors, indicates that it was the intent of the bill to make it possible to use funds available for the construction of Indian health facilities for the assistance of Indians in community hospitals which serve Indians and non-Indians in nearby communities. However, the bill contains a proviso which might defeat the alleged purpose of the bill. I refer to the proviso beginning on line 9 of page 2:

Provided, That in determining, for the purposes of this Act, the portion of the cost of the construction project attributable to Indian health needs, the Surgeon General shall take into account only those categories of Indians for which hospital and medical care, including outpatient care and field-health services, is being provided by or at the expense of the Public Health Service on the date of enactment of this Act.

It has been my experience and observation that the Indians who go into communities adjacent to reservations to seek employment and to get "on their own," so to speak, and thus to relieve the Government of the various services which are provided—rations and other assistance on the reservations—find they can get hospital service only if they return to the reservation or if they obtain advance authorization for the incurment of expenses at community hospitals in case of emergency.

The difficulty is that if a true emergency arises, there is no time to get an advance authorization; and the practice of the Public Health Service and the Indian Bureau has been to say to the hospitals in the adjacent communities, "We will not honor your bills unless there is advance authorization," and to say to the Indians, "You must return to the reservation." The result is a tendency to defeat the rehabilitation of the Indian himself.

I have in mind a bill which is pending before the Committee on the Judiciary to cover the cost to the hospital of an Indian patient who has been crippled. His case was a severe one, and was considered an emergency situation. It has continued for some time, and the hos-

pital is out of pocket several thousand dollars incurred in the care of the Indian.

I think the bill is intended to take care of such situations as that, and to save money, eventually, for the Government by permitting Indians to share in the use of private hospital facilities in adjacent communities.

Mr. BARRETT. As I understand the Senator, he has no objection to providing authorization for the hospitalization of Indians who live on reservations in nearby communities, and where hospitalization is not afforded on the reservation. Is that correct?

Mr. CASE of South Dakota. That certainly is correct. I think I am in sympathy with the purpose of the bill. I am simply fearful that the proviso which I read may defeat the intent of the bill.

If the Senator from Wyoming can assure me that the proviso, taking into account only those categories presently provided for, will not foreclose the taking care of Indians who leave the reservation in quest of employment and locate in nearby communities, I certainly will have no objection.

Mr. BARRETT. I am not a member of the committee which considered the bill, but I am very much interested in it. It seems to me that the Indians whom the Senator from South Dakota has in mind could certainly come within the provisions of the bill by returning to the reservation or to the community in which the services are available.

Mr. CASE of South Dakota. The Indian can. If he goes back to his reservation, he can get hospitalization. I think it is the intent of the bill to make it possible for the hospital expense or cost to be transferred or recognized by sharing the cost of private hospital facilities in nearby communities. But as the regulations are interpreted at present, that cannot be done unless the Indian goes back to the reservation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. CLARK. Like the Senator from Wyoming, I am not a member of the committee which considered the bill. Therefore, I speak with some diffidence. But as a lawyer attempting to interpret the proviso, I think it has to do, as indeed the section to which the proviso is attached has to do, merely with the cost of building the hospital, to which are attributable Indian funds, in the case of the Surgeon General, and would have nothing whatsoever to do with the qualifications for admission to the hospital once the hospital was built.

Mr. CASE of South Dakota. That is true; but if the Senator will note Public Law 568, which the bill would supplement, there is a provision that the Attorney General can contract for hospital service. It is true that the bill goes to the matter of credit of construction costs of hospitals; but Public Law 568 permits contracts for the services to be provided.

Mr. CLARK. I still feel that the particular proviso, with respect to which the Senator from South Dakota expresses a quite legitimate concern, could not very well or very reasonably be construed so as to exclude the Indians for whom the Senator expresses his concern.

The PRESIDING OFFICER. The Chair is compelled to state that the Senator from South Dakota has used his 5 minutes under the rule.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. Will the Senator from Pennsylvania agree with me that the categories of Indians presently provided for, as referred to in section 2, include the Indians who could receive hospitalization if they returned to the reservation?

Mr. CLARK. Yes, but as I construe section 2 it has nothing to do with the categories of Indians, but merely with the allocation of cost for the capital construction of the hospital, as between two funds. Therefore, it is purely a matter of capital cost and has nothing to do with the categories of individuals who may be served in a hospital when it is built.

Mr. BARRETT. Mr. President——

The PRESIDING OFFICER. The time of the Senator from South Dokata has again expired.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the Senator from South Daokta be granted 3 minutes more.

Mr. STENNIS. Mr. President, I want the Senator from South Dakota to have as much additional time as he needs; but other Senators are waiting for the consideration of other bills. We must keep that fact in mind. If the Senator from South Dakota wishes to debate the bill extensively, the bill might be placed at the foot of the calendar for today, and then be taken up automatically later.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico that the Senator from South Dakota be accorded 3 additional minutes?

Mr. GOLDWATER. Mr. President, reserving the right to object, I thank the Senator from Mississippi for his statement. I have been sitting here since 1 o'clock. I am 1 hour late for a committee meeting. Many other bills have been passed over.

I shall not object to this request, but I shall object to any further delay in the consideration of the calendar. When we are asked to consider important measures which have been previously called up, I believe Senators should be present at the time they are reached.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico that the Senator from South Dakota be granted 3 additional minutes?

Mr. ALLOTT. Mr. President, I call for the regular order.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar.

The PRESIDING OFFICER. The vote on the passage of the bill has not been reconsidered. The Senator from South Dakota requested that the Senate return to the bill in order that he might ask questions. The action in passing of the bill has not been rescinded.

Mr. CASE of South Dakota. When we returned to the——

The PRESIDING OFFICER. Does the Senator from South Dakota move to reconsider the vote by which the bill was passed?

Mr. CASE of South Dakota. I thought I asked that that be done when we returned to the bill.

The PRESIDING OFFICER. The Chair understood the Senator from South Dakota to request that the Senate return to the bill in order that he might make some observations and ask some questions. The Senate returned to the bill. The Chair advises the Senator from South Dakota that if he wishes to have the Senate reconsider the vote by which the bill was passed, he must make such a motion.

Mr. CASE of South Dakota. Mr. President, I ask that we return to the bill for the purpose of reconsideration, and that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will go to the foot of the calendar.

A. C. ISRAEL COMMODITY CO., INC.

The Senate proceeded to consider the bill (H. R. 5707) for the relief of the A. C. Israel Commodity Co., Inc., which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, subject to the provisions of section 2, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the A. C. Israel Commodity Co., Inc., New York, N. Y., the sum of $7,582.57. The payment of such sum shall be in full settlement of all claims of the said company against the United States for reimbursement of the amount paid (under protest) by such company on December 13, 1945, as damages for alleged violation, in connection with the sale by such company of imported chocolate bars, of price regulations established by the Office of Price Administration.

SEC. 2. (a) No payment may be made under this act until the Secretary of the Treasury determines, upon evidence satisfactory to him furnished by the A. C. Israel Commodity Co., Inc., that the action filed by the A. C. Israel Commodity Co., Inc., against the United States of America in the District Court of the United States for the Southern District of New York, civil action No. 46–622, has been dismissed by the plaintiff therein with prejudice.

(b) Nothing contained in this act shall be construed as any evidence of liability on the part of the United States in such civil action, and no evidence as to the enactment of this act, or any legislative action taken with respect thereto, may be received in evidence in such civil action.

(c) No part of the amount appropriated by section 1 of this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction

thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 426) amending a joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

IMPLEMENTATION OF THE GENEVA RED CROSS CONVENTIONS

The Senate proceeded to consider the bill (S. 1779) to give effect to certain obligations of the United States under the Geneva Conventions for the Protection of War Victims of 1949 by regulating use of the Red Cross and other emblems, and for other purposes, which had been reported from the Committee on Foreign Relations with an amendment on page 4, line 13, after the word "conventions", to insert "for the Protection of War Victims", and, in line 14, after the numerals "1949", to strike out the comma and "for the protection of war victims", so as to make the bill read:

Be it enacted, etc., That section 706 of chapter 33, title 18, United States Code, is hereby amended to read as follows:

"SEC. 706. Protective emblems under the Geneva conventions

"(a) Whoever wears or displays the sign of the Red Cross or any insignia in colorable imitation thereof for the fraudulent purpose of inducing the belief that he is a member of or an agent for the American National Red Cross; or

"Whoever, whether a corporation, association or person, other than a person authorized by the Geneva Conventions for the Protection of War Victims of August 12, 1949, including the American National Red Cross and its duly authorized employees and agents, the medical units and establishments of the Armed Forces of the United States and their duly authorized personnel, chaplains attached to the Armed Forces of the United States, the Red Cross societies of neutral countries and the international Red Cross organizations and their duly authorized personnel, uses the emblem of the Greek red cross on a white ground, or any sign or insignia in colorable imitation thereof or the words 'Red Cross' or 'Geneva Cross' or any combination of these words—

"Shall be fined not more than $250 or imprisoned not more than 6 months, or both.

"This subsection shall not make unlawful the use of such emblem, sign or insignia (1) to mark civilian hospitals, convoys of vehicles, hospital trains, ships and aircraft carrying wounded, infirm or sick civilians, or medical personnel and equipment, when permitted under regulations and orders which the President is hereby authorized to issue in accordance with articles 18, 21, and 22 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949; (2) to mark ambulances and the location of first-aid stations when permitted under regulations and orders which the President is hereby authorized to issue in accordance with article 44 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949; or (3) on armlets to identify the personnel of civilian hospitals where permitted under regulations and orders which the President is hereby authorized to issue in accordance with article 20 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949.

"This subsection shall not make unlawful such use of any such emblem, sign, insignia, or words for the same purpose and for the same class of goods as was lawful on the date of enactment of this title, provided that such use shall not extend to the placing of the Red Cross emblem, sign, or insignia upon aircraft, vessels, vehicles, buildings or other structures, or upon the ground, except as otherwise permitted by this subsection or by the Geneva Conventions for the Protection of War Victims of August 12, 1949.

"(b) Whoever, whether a corporation, association, or person, other than a person authorized by the Geneva Conventions for the Protection of War Victims of August 12, 1949, uses the emblem of the red crescent on a white ground or a red lion and sun on a white ground, or any sign or insignia in colorable imitation thereof—

"Shall be fined not more than $250 or imprisoned not more than 6 months, or both.

"This subsection shall not be deemed to prohibit a corporation, association, or person that actually used such emblem, sign, or insignia prior to February 2, 1956, from continuing such use for the same purpose and for the same class of goods, provided that such use shall not extend to the placing of the emblems described in this subsection upon aircraft, vessels, vehicles, buildings or other structures, or upon the ground, except as otherwise permitted by this subsection or by the Geneva conventions for the Protection of War Victims of August 12, 1949.

"(c) Whoever, whether a corporation, association, or person, following a proclamation by the President in time of war or national emergency that application of this subsection is necessary, shall use in such location and size as to be recognizable from the air, whether by visual or photographic means, the letters 'PW' or 'PG' for any purpose except marking the location of a prisoner of war camp, or the letters 'IC' for any purpose except marking the location of an internment camp, or any other marking, sign, emblem, or insignia agreed upon by the United States and any other country and proclaimed by the President for marking the location of such camps—

"Shall, unless such use or placing conforms to such regulations as may have been issued under authority of the President, be fined not more than $250 or imprisoned not more than 6 months, or both."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING OF REPORT ON FEED-GRAIN PROGRAM

The resolution (S. Res. 168) relative to printing the report of the Acting Secretary of Agriculture on the feed-grain program was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document the report from the Acting Secretary of Agriculture on possible methods of improving the feed-grain program, pursuant to Senate Resolution 125, 85th Congress, 1st session, and that 2,500 copies be printed for the use of the Senate Committee on Agriculture and Forestry.

PRINTING OF SURVEY ENTITLED "NATIONAL POLICIES ON FEDERAL LANDOWNERSHIP

The resolution (S. Res. 169) to print a survey entitled "National Policies on Federal Landownership" was considered and agreed to, as follows:

Resolved, That there be printed with an illustration, as a Senate document, a survey entitled "National Policies on Federal Landownership," compiled by Dr. John K. Rose, of the Library of Congress, and that 3,000 additional copies be printed for the use of the Committee on Interior and Insular Affairs.

BOOKS FOR ADULT BLIND

The bill (S. 2434) to amend the act entitled "An act to provide books for the adult blind," was announced as next in order.

Mr. BARRETT. Mr. President, reserving the right to object, may we have an explanation of this bill?

Mr. CLARK. Mr. President, the bill would amend the present law relating to the service of the Library of Congress to the blind, in only two particulars.

First, it would remove the present limitation of $1,125,000 on the amount authorized to be appropriated annually for the Library's service to the blind.

Second, it would remove the present limitation of $200,000 on the amount of appropriated funds which may be expended annually for books in raised characters.

Mr. BARRETT. Mr. President, will the Senator yield to me?

Mr. CLARK. I am happy to yield.

Mr. BARRETT. Mr. President, I have no objection to the bill. The practice, however, of removing a limitation without replacing it with another limitation seems to be an unwise procedure. As I understand, the bill in that respect is left as an open-end bill, and no limitation whatever is placed on the item we are discussing, except that which the Committee on Appropriations itself might see fit to impose. Is that correct?

Mr. CLARK. The Senator is correct. The thought is that before any money at all could be expended by the Library of Congress for this program it would be necessary to obtain an appropriation, which would have to clear the Committee on Appropriations.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARRETT. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. BARRETT. It seems to me it would be to the advantage of the Committee on Appropriations itself if a limitation were placed on the amount, which limitation could serve as a guide for the committee. It seems to me a rather unwise practice is being suggested.

Mr. CLARK. Mr. President, will the Senator withhold his objection briefly?

Mr. BARRETT. I withhold it for the time being.

Mr. CLARK. The Librarian was called before the Committee on Rules and Administration and was asked to state an amount which could be placed in the bill as a new ceiling. It was his testimony

that it was impossible to estimate such a figure, on the ground that the services for the blind in connection with the books program was growing at so rapid a rate he was not able to state any fixed amount.

Mr. BARRETT. It seems to me that perhaps when the bill goes to the House the Librarian may at that time go before the House committee and give some testimony which will serve to help put a limitation on the amount.

Mr. CLARK. I am sure with the legislative history in the RECORD, that will be done.

Mr. BARRETT. I withhold my objection.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. JAVITS. I was present at the hearing of the Committee on Rules and Administration on the bill. This is a very meritorious bill and I am sure has the sympathetic support of every Member. I am very grateful to the Senator from Wyoming for withholding his objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2434) to amend the act entitled "An act to provide books for the adult blind" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to provide books for the adult blind," approved March 3, 1931, as amended, is amended to read as follows:

"That there is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings, or in any other form, and for the purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind readers under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 3709 of the Revised Statutes of the United States (41 U. S. C. 5), as amended, shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable."

SEC. 2. This act shall be applicable with respect to the fiscal year ending June 30, 1958, and for each fiscal year thereafter.

CONDITIONS OF EMPLOYMENT IN DEPARTMENTS OR AGENCIES OF THE CANAL ZONE

The bill (S. 1850) to adjust conditions of employment in departments or agencies in the Canal Zone was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Iowa. Mr. President, with reference to the bill announced as next in order, I should like to clarify a question which has been raised privately. The committee does not believe, nor did it intend, that the pay of Panama Canal pilots should be affected by the bill.

The Classification Act of 1949, as amended, currently does not apply to, among others, the following:

Officers and members of crews of vessels, whose compensation shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry.

It is the understanding of the committee that this provision of existing law will continue in full force and effect, and that in the future, as in the past, the pay of Panama Canal pilots will be fixed in accordance with prevailing rates and practices in the maritime industry. It is my view that S. 1850 makes no change in this respect.

Mr. CLARK. Mr. President, the statement of the Senator from Iowa correctly reflects the situation with reference to Panama Canal pilots. The Senator from Massachusetts [Mr. KENNEDY] had raised the same question, as to whether the bill affected the compensation of Panama Canal pilots. The answer to his question is "No"; it does not, for the reasons so ably stated by our friend from Iowa.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments on page 2, line 4, after the word "by", to strike out "repealing paragraph (32) and by"; in line 12, after "(chapter 560, 65 Stat. 637),", to strike out "and section 804 of the Postal Field Service Compensation Act of 1955 (69 Stat. 130), are hereby repealed" and insert "is amended by striking out the word 'firemen' and inserting in lieu thereof the words 'fire officers' ", and on page 3, line 8, after the word "receive", to insert "a rate not less than"; so as to make the bill read:

Be it enacted, etc., That each agency of of the United States Government in the Canal Zone is hereby authorized to conform its wage practices in the Canal Zone to the principles established by item 1 of the memorandum of understandings reached between the United States of America and the Republic of Panama signed on January 25, 1955, subject to such regulations as the President may prescribe.

SEC. 2. Section 202 of the Classification Act of 1949 (ch. 782, 63 Stat. 954), as amended by the act of June 16, 1950 (ch. 269, 64 Stat. 232), and by the act of September 26, 1950 (ch. 1049, 64 Stat. 1038), is hereby further amended by amending paragraph (21) thereof to read as follows:

"(21) employees of a department stationed in the Canal Zone and, at the discretion of the Civil Service Commission upon the request of a department, employees stationed in the Republic of Panama if employed by a department having employees stationed both in the Republic and in the Zone."

SEC. 3. Paragraph (c) of section 1 of the act of October 25, 1951 (ch. 560, 65 Stat. 637), is amended by striking out the word "firemen" and inserting in lieu thereof the words "fire officers".

SEC. 4. For purposes of laws and regulations pertaining to retirement, overtime pay, insurance, injury and death compensation, leave and the commutation thereof, and other similar employee benefits, the basic compensation of United States citizens employed by departments or agencies of the Government of the United States in the Canal Zone shall include any overseas pay differential or other increment over the rate applicable to a non-United States citizen in the same position.

SEC. 5. Whenever the basic compensation of an employee of a department or agency of the United States in the Canal Zone, which is fixed with reference to rates for similar employment in continental United States, is converted to another base, the employee shall, pending transfer to a position the basic compensation of which is fixed with reference to rates prevailing in the continental United States, continue to receive a rate not less than the rate paid immediately prior to such conversion so long as he remains in the same position or a position of equal or higher grade.

SEC. 6. The act of July 8, 1937 (ch. 443, 50 Stat. 478), as amended by the act of February 20, 1954 (ch. 12, 68 Stat. 17), is hereby modified, effective the first day of the first pay period beginning in the third month following the month of approval of this act, in such manner as to apply only to the continued payment thereunder of cash relief awarded to employees whose employment terminated prior to said effective date.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. WILLIAM A. CURRAN

The bill (S. 243) for the relief of Mrs. William A. Curran was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Civil Service Commission is authorized and directed to pay, out of any money in the civil-service retirement and disability fund, to Mrs. William A. Curran, of Bangor, Maine, the widow of William A. Curran, formerly an employee of the Internal Revenue Service, an annuity equal to the annuity which she would have been entitled to receive had the said William A. Curran elected, at the time of his retirement, under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, to receive a reduced annuity payable to him during his life, and an annuity equal to one-half of such reduced annuity payable after his death to the said Mrs. William A. Curran, as surviving beneficiary, the said William A. Curran having been unable because of physical and mental condition resulting from serious illness to exercise his best judgment in the selection of the most beneficial type of annuity.

SEC. 2. There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which shall have been made on account of the death of the said William A. Curran, plus an amount equal to 5 percent of the amount received by the said William A. Curran in annuity payments under the Civil Service Retirement Act of May 29, 1930, as amended, prior to his death.

SEC. 3. No part of the annuity authorized under the first section of this act shall be paid or delivered to or received by any agent

or attorney on account of services rendered in connection with obtaining such annuity, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. BARRETT subsequently said: Mr. President, may I inquire what action was taken on Calendar 798, S. 243 for the relief of Mrs. William A. Curran?

The PRESIDING OFFICER. The bill was passed.

UNIFORM TERMINATION OF THE USE OF OFFICIAL FRANKS BY FORMER MEMBERS OF CONGRESS

The bill (S. 2500) to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of section 7 of the act of March 3, 1875 (39 U. S. C. 329), is amended by striking out the words "for the period of 9 months after", and by inserting in lieu thereof "until the 30th day of June following."

TRANSFER OF CERTAIN ARCHIVES TO THE COMMONWEALTH OF PUERTO RICO—JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 275) transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives was announced as next in order.

Mr. CHAVEZ. Mr. President, I ask for an explanation of the resolution.

Mr. CLARK. Mr. President, the joint resolution provides for the transfer of certain historical records to the Commonwealth of Puerto Rico. When Puerto Rico ceded its sovereignty to the United States in 1898, its records, including a number of colonial Spanish records, were brought to the United States.

The purpose of the joint resolution is to return them to Puerto Rico, where it is now felt they could be even more appropriately housed and kept than in this country.

Mr. CHAVEZ. Mr. President, I have no objection whatever to having that done.

Let me say that I love the United States of America, including Puerto Rico. The joint resolution is for the purpose of transferring to the Commonwealth of Puerto Rico—a part of the United States of America, though having a Commonwealth status—certain archives and records in the possession of the National Archives. Mr. President, they should be kept where they originated. I favor having that done. But I wish the Senate to know today that I believe Puerto Rico is a part of the United States, not an independent Commonwealth. I do not know what other Senators may think. But I still want to feel that Puerto Rico is a part of the Union, and not a Commonwealth of the Union.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GOLDWATER. Mr. President, reserving the right to object, let me say there is a great deal in what the Senator from New Mexico has said. We in the southwestern part of the United States have practically no reserves or archives of our own historical documents; they are either in Cuba or in Puerto Rico or in Mexico City or in Spain.

I believe this is a rather important matter to those of us who are proud of the history of the southwestern part of the United States. I believe these documents should remain in the National Archives. Therefore, I object.

The PRESIDING OFFICER. Objection is heard, and the joint resolution will be passed over.

BILL PASSED OVER

The bill (S. 2673) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

WIDOW AND CHILDREN OF JOHN E. DONAHUE

The bill (H. R. 4986) for the relief of the widow and children of John E. Donahue was considered, ordered to a third reading, read the third time, and passed.

PROGRAM OF RESEARCH FOR DEVELOPMENT OF COMMERCIAL PRODUCTION OF FISH

The bill (S. 1552) to authorize the Secretary of Agriculture to establish a program for the purpose of carrying on certain research and experimentation to develop methods for the commercial production of fish on flooded rice acreage in rotation with rice field crops, and for other purposes, was announced as next in order.

Mr. CHAVEZ. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CLARK subsequently said,

Mr. President, there is a bill as to which there was an agreement between me, as a member of the Calendar Committee, and the junior Senator from Texas that we would ask unanimous consent to have it considered. I refer to Calendar No. 803, S. 1552.

It is my understanding that objection has been withdrawn, and I ask unanimous consent that the bill may be considered and passed, without objection.

The PRESIDING OFFICER. Is there objection to the consideration of Calendar No. 803, S. 1552?

There being no objection, the Senate proceeded to consider the bill (S. 1552), which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 1, line 3, after the word "of", to strike out "Agriculture" and insert "the Interior"; in line 4, after the word "to", to strike out "contract with the University of Arkansas for the establishment of" and insert "establish"; in line 6, after the word "stations", to strike out "within the State of Arkansas"; on page 2, line 20, after the word "of", where it appears the second time, to strike out "Agriculture" and insert "the Interior"; on page 3, line 5, after the word "the", to strike out "United States Fish and Wildlife Service of the Department of the Interior" and insert "Department of Agriculture"; and in line 9, after the word "of", to strike out "Agriculture" and insert "the Interior"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to establish an experiment station or stations for the purpose of carrying on a program of research and experimentation—

(1) to determine species of fishes most suitable for culture on a commercial basis in shallow reserviors and flooded rice lands;

(2) to determine methods for production of fingerling fishes for stocking in commercial reservoirs;

(3) to develop methods for the control of parasites and diseases of brood fishes and of fingerlings prior to stocking;

(4) to develop economical methods for raising the more desirable species of fishes to a marketable size;

(5) to determine the effects of fish-rice rotations, including crops other than rice commonly grown on rice farms, upon both the fish and other crops;

(6) to develop methods for the control of obnoxious weeds developing in the fish-rice rotation; and

(7) to develop suitable methods for harvesting the fish crop and preparing it for marketing, including a study of sport fishing as a means of such harvest.

SEC. 2. For the purpose of carrying out the provisions of this act, the Secretary of the Interior is authorized (1) to acquire by purchase, condemnation, or otherwise such suitable lands, to construct such buildings, to acquire such equipment and apparatus, and to employ such officers and employees as he deems necessary; (2) to cooperate with State and other institutions and agencies upon such terms and conditions as he determines to be appropriate; and (3) to make public the results of such research and experiments conducted pursuant to the first section of this act.

SEC. 3. The Department of Agriculture is authorized to cooperate in carrying out the provisions of this act by furnishing such information and assistance as may be requested by the Secretary of the Interior.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Secretary of the Interior to establish a program for the purpose of carrying on certain research and experimentation to develop methods for the commercial production of fish on flooded rice acreage in rotation with rice field crops, and for other purposes."

BILLS PASSED OVER

The bill (S. 1113) for the conveyance of certain lands of the United States to the city of Gloucester, Mass., was announced as next in order.

Mr. CLARK. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for the purchase of aircraft and equipment, and for other purposes, was announced as next in order.

Mr. CLARK. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN REAL PROPERTY IN PRAIRIE COUNTY, ARK.

The bill (H. R. 2259) to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark., was considered, order to a third reading, read the third time, and passed.

Mr. CLARK. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] may be permitted to file an explanation with reference to Calendar 806.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR MORSE ON H. R. 2259

This bill would authorize a conveyance of the United States interest in approximately 2 acres of land in Arkansas, to certain named individuals upon the payment of $175.

Its sole purpose is to clear title to this tract which was conveyed to the Government through error in 1936, and in which the Government claims no interest.

The so-called Morse formula can have no application to the facts of this case. Obviously the transfer is designed to prevent the working of an injustice.

CONVEYANCE OF CERTAIN LAND TO THE PERKINS CHAPEL METHODIST CHURCH, BOWIE, MD.

The Senate proceeded to consider the bill (S. 1962) to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md., which had been reported from the Committee on Agriculture and Forestry with an amendment on page 2, line 13, after the word "conveyed", to strike out "to", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the Perkins Chapel Methodist Church, Bowie, Md., any right, title, and interest of the United States in and to a certain tract of land situated in Bowie, Prince Georges County, Md., described as follows:

Beginning at an iron pipe set on the south side of Fairland-Springfield Road, formerly known as the Springfield Hill Road, being at the northeast corner of the land now owned by the Perkins Chapel Methodist Church, running south 36 degrees 30 minutes west 328.75 feet; thence south 53 degrees 30 minutes east to the north boundary of Telegraph Road; thence northeasterly to the intersection of the north side of Telegraph Road and the south side of Fairland-Springfield Road; thence continuing in a northwesterly direction following the south side of Fairland-Springfield Road to the point of beginning, containing 5.5 acres more or less.

SEC. 2. The conveyance authorized by this act shall be subject to the condition that the Perkins Chapel Methodist Church pay to the Secretary of Agriculture as consideration for the land conveyed the fair market value of such land as determined by the Secretary after appraisal of such land.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CLARK. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] may be permitted to file an explanation with reference to Calendar 807.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR MORSE ON S. 1962

This bill would authorize a conveyance of 5½ acres of federally owned land to the Perkins Chapel Methodist Church in order that the church may proceed with expansion of its facilities.

There is no objection to this proposed legislation under the so-called Morse formula because the bill provides for the payment of full value.

FURNISHING OF SURPLUS DAIRY PRODUCTS TO THE COAST GUARD ACADEMY AND THE UNITED STATES MERCHANT MARINE ACADEMY

The Senate proceeded to consider the bill (S. 1696) to amend the Agricultural Act of 1949, to provide for furnishing the Coast Guard Academy and the United States Merchant Marine Academy with surplus dairy products which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 5, after the word "and", where it appears the first time, to insert "as a part of the ration", and, in line 7, after the word "end", to insert "of the first sentence."

The amendments were agreed to.

Mr. MAGNUSON. Mr. President, I submit a further amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 6, it is proposed to strike out "or Air Force" and insert in lieu thereof "Air Force, or Coast Guard."

On page 2, line 3, it is proposed to strike out "the Coast Guard Academy and."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1696) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 202 of the Agricultural Act of 1949 is amended by striking out "of the Army, Navy, or Air Force, and as a part of the ration" and inserting in lieu thereof "(1) of the Army, Navy, Air Force, or Coast Guard, (2)" and by inserting before the period at the end of the first sentence of such subsection the following: ", and (3) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy."

CONTROL AND ERADICATION OF THE KHAPRA BEETLE

The bill (S. 1805) for the relief of persons and firms for the direct expenses incurred by them for the fumigation of premises in the control and eradication of the khapra beetle was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Mr. President, reserving the right to object, although for the moment I do not object, let me say that I see the distinguished Senator from Arizona [Mr. GOLDWATER] on the floor. It is my understanding that the bill would commit the United States to an expenditure of $172,000. I should like to ask the Senator from Arizona for a brief explanation.

Mr. GOLDWATER. Mr. President, I shall be very happy to given an explanation.

In the first place, the actual amount, when corrected because of a typographical error, is $143,145.

I believe it was in 1953, or it might have been in 1952, that the Department of Agriculture discovered in wheat which was stored in granaries in Arizona a beetle which was identified by the Department as the khapra beetle. The Department of Agriculture forced those who stored the wheat completely to fumigate the wheat which was in the granaries, even thought there might have been only 1 or 2 of the khapra beetles in it.

I may say that so far as we have been able to ascertain the khapra beetle entered the United States in wheat imported from Mexico and stored an Arizona and in adjoining States.

The Department of Agriculture required 60 firms in Arizona to wrap their bins in canvas or in other types of tarpaulin, and then to fumigate the bins completely.

Subsequently, my senior colleague [Mr. HAYDEN] introduced, in the last Congress, a bill, which became Public Law 533, which recognized that the Department of Agriculture and the States had a joint responsibility in connection with this matter, and provided that subsequent to the passage of the act, the Department of Agriculture would pay for the fumigation.

Inasmuch as the 60 firms had already expended $143,145, we believe it is only proper that they be repaid for the work done, because it was done partially on a voluntary basis, but more on an involuntary basis, because these persons, who are engaged in the grain business, can see no particular harm in the khapra beetle. It has never been demonstrated that it destroys wheat to any extent. It

has never been shown that it is particularly dangerous to human life. These persons were out of pocket that much money because of that decision by the Department of Agriculture.

In view of the fact that the Department of Agriculture has now assumed the responsibility and states in its report that this matter will require no additional appropriation, I believe the Senate should look favorably upon the bill.

Mr. STENNIS. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I am glad to yield.

Mr. STENNIS. Was the program in the nature of an experiment, to the extent that an effort was being made to ascertain what should be done about the matter?

Mr. GOLDWATER. That is substantially correct.

I believe it was more in the nature of an experiment than because of any belief that they could get rid of the beetle. That effort has been made in California and in other States; but, to date, there has been no notable success in the attempts to eliminate the khapra beetle from the stored wheat.

Mr. ELLENDER. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I am happy to yield to the Senator from Louisiana.

Mr. ELLENDER. Is it not a fact that the justification for paying the amount which is requested in this case is that if the State of Arizona had not taken the position it did take, it might have cost the Federal Government millions of dollars to get rid of the beetle?

Mr. GOLDWATER. Certainly. If the storers of the wheat had been adamant in refusing, and had forced the Federal Government to take action—which is probably what the Federal Government would have done in that case—it would have cost 10 times that amount, because the Federal Government's expenditures usually run in that ratio, as compared to private expenditures in connection with such matters.

Mr. STENNIS. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. STENNIS. I should like to say that an item in connection with this matter came before the Appropriations Committee.

I believe the bill is meritorious, and that the amount called for should be paid. But I believe the action in this connection should not be regarded as establishing a precedent, for in this instance the payment is being made because the work was largely experimental, in an effort to find a way, in pioneer work, rather than simply an attempt to reimburse certain persons for losses sustained.

Mr. GOLDWATER. No precedent will be established in this case because the reimbursement to these 60 firms will wrap up the whole thing.

Mr. STENNIS. I thank the Senator from Arizona.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have an explanation printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF S. 1805

This bill provides relief for those persons who went ahead and fumigated their premises under the khapra beetle eradication program prior to the enactment of legislation under which the Department of Agriculture and cooperating States assumed part of the expenses of such fumigation. By acting promptly before legislation could be passed they prevented the beetle from spreading, contributed greatly to the eradication program, and kept its cost down. As a result, the program has been very effective.

The senior Senator from Arizona, Senator HAYDEN, wrote to the committee while it had this bill under consideration, advising that he held an interest in two corporations which will receive benefits under the bill, and requesting that the bill be amended to prevent any benefit from inuring to him. Accordingly, the committee recommendations have included an amendment to carry out this request. The other committee amendments make technical corrections suggested by the Department to include other entitled to relief and provide for payment of the correct amount.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1805), which had been reported from the Committee on Agriculture and Forestry with amendments on page 3, line 4, after the word "Arizona", to strike out "$54,000" and insert "$54"; in line 13, after the figures "$50.23", to insert "Hayden, Flour Mills, Tempe, Ariz., $11,100; A. W. Johnson, Yuma, Ariz., $209.42;"; on page 4, line 10, after the figures "$72.60", to insert "Southwest Flour & Feed Co., Glendale, Ariz., $13,632;", and on page 5, after line 7, to insert:

SEC. 3. No payment shall be made under this act to the Hayden Flour Mills or the Southwest Flour & Feed Co. unless each such corporation and any Member of Congress who holds stock in either of such corporations at the time such payment is made has made a written agreement with the Secretary of Agriculture that from any funds thereafter payable to any such Member of Congress as dividends (ordinary or liquidating) on such stock there will be repaid to the Secretary of the Treasury to be covered into miscellaneous receipts a sum which bears the same ratio to the aggregate payments made under this act to such corporations by the Secretary of Agriculture as the number of shares of stock so held by such Member of Congress at the time such payment is made bears to the total number of shares of stock of the corporation outstanding at the time such payment is made.

So as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to pay, out of the unobligated balance of funds appropriated for the fiscal year 1956 in the Department of Agriculture and Farm Credit Appropriation Act, 1956 (Public Law 40), under the appropriation Salaries and Expenses, Agricultural Research Service, Plant and Animal Disease and Pest Control, the following persons or firms in the amounts set out after their names to reimburse said persons or firms the direct expenses incurred during fiscal years 1955 and 1956 for fumigation of premises under the quarantine and supervision of the Agricultural Research Service and appropriate State agencies for the eradication of the khapra beetle and thereby provide equitable treatment to said persons or firms who were required to bear these costs prior to the policy established through the enactment of the Second Supplemental Appropriation Act, 1956 (Public Law 533):

Acme Bag & Burlap Co., and Delinting & Seed Treating Co., Phoenix, Ariz., $1,200; Advance Seed & Grain Co., Phoenix, Ariz., $9,445.88; Arizona Flour Mills Co., Casa Grande, Ariz., $7,548; Arizona Flour Mills Co., Glendale, Ariz., $3,092.20; Arizona Flour Mills Co., Phoenix, Ariz., $12,645; Arizona Flour Mills Co., Tucson, Ariz., $8,100; Arizona Grain & Storage Co., Chandler, Ariz., $5,400; Boyd & Kuhn, Brawley, Calif., $300; Browns Farm Store, Phoenix, Ariz., $95; Buckeye Feed & Seed Co., Inc., Buckeye, Ariz., $6,400; Capital Feed & Seed Co., Coolidge, Ariz., $1,825; Capital Feed & Seed, Gilbert, Ariz., $2,449.90; Capital Feed & Seed Co., Phoenix, Ariz., $11,051; Casey Seed Co., Phoenix, Ariz., $912; Neal Collins Farm, Yuma, Ariz., $75.50; Curry County Grain & Elevator Co., Clovis, N. Mex., $919.80; Desert Feed Store, Phoenix, Ariz., $28.50; Edward Beals Feed Lot, San Luis, Ariz., $54; Farm Equipment & Supply Co., Parker, Ariz., $647.26; Farmers Cooperative Marketing Association, Roll, Ariz., $1,175; Farmers Marketing Corp., Yuma, Ariz., $1,210; Farmers Marketing Corporation Mill, Yuma, Ariz., $5,675.40; Feeder's Supply Co., Mesa, Ariz., $225; H. P. Fites Ranch, Yuma, Ariz., $116; Henry Frauenfelder Farm, Somerton, Ariz., $147.14 Grubbs Hatchery, Yuma, Ariz., $143.47; Hafley's Market Warehouse, Kingman, Ariz., $50.23; Hayden Flour Mills, Tempe, Ariz., $11,100; A. W. Johnson, Yuma, Ariz., $209.42; C. A. Johnson Farm, Somerton, Ariz., $112.50; Dave Johnson Farm, Somerton, Ariz., $152; Frank Kornegay Farm, Yuma, Ariz., $231; Henry Leivas Farm, Parker, Ariz., $245.50; R. W. Livingston Farm, Yuma, Ariz., $73.14; Long's Dairy, Buckeye, Ariz., $280; Arthur McCoy Ranch, Yuma, Ariz., $50; Pearl McCreary Ranch, Gilbert, Ariz., $64.43; R. H. McElhaney Ranch, Wellton, Ariz., $953; Northrup-King Co., Phoenix, Ariz., $2,731.50; Northrup-King Seed Co., Yuma, Ariz., $60; Pablo Ortiz Farm, Yuma, Ariz., $16; Phoenix Hay & Feed Co., Phoenix, Ariz., $460; Pratt Feed & Supply Co., Phoenix, Ariz., $675; Quick Seed & Feed Co., Phoenix, Ariz., $1,829; R. F. Richter Feed Store, Parker, Ariz., $131.51; Robert Seed Co., Texico, N. Mex.; $964.46; St. Anthony's Ranch, Mecca, Calif., $200; Shank Brothers Imperial Co., Brawley, Calif., $300; Slone Grain Co., Portales, N. Mex., $891.10; Arthur Jannusch, Phoenix, Ariz., $72.60; Southwest Flour & Seed Co., Glendale, Ariz., $13,632; Sterner Farm, Goodyear, Ariz., $65.50; Strange's Market Warehouse, Ajo, Ariz., $45.50; Jesse P. Stump Farm, Tolleson, Ariz., $675; Hubert Thacker Farm, Yuma, Ariz., $38.25; Valley Feed & Seed Co., Phoenix, Ariz., $9,385.88; Western Grain Elevator Co., Mesa, Ariz., $10,042; Whitman Seed Co., Yuma, Ariz., $4,718.40; Worley Mills, Inc., Portales, N. Mex., $1,664; and Yuma County Feed & Seed Co., Yuma, Ariz., $154.16: *Provided*, That before payment is made these persons and firms shall submit certified vouchers in support of such claims for reimbursement of direct fumigation costs incurred by them.

SEC. 2. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the receipt of any such sum in excess of said 10 percent shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 3. No payment shall be made under this act to the Hayden Flour Mills or the Southwest Flour & Feed Co. unless each such

corporation and any Member of Congress who holds stock in either of such corporations at the time such payment is made has made a written agreement with the Secretary of Agriculture that from any funds thereafter payable to any such Member of Congress as dividends (ordinary or liquidating) on such stock there will be repaid to the Secretary of the Treasury to be covered into miscellaneous receipts a sum which bears the same ratio to the aggregate payments made under this act to such corporations by the Secretary of Agriculture as the number of shares of stock so held by such Member of Congress at the time such payment is made bears to the total number of shares of stock of the corporation outstanding at the time such payment is made.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. STENNIS. Mr. President, we are near the end of the calendar. May I request that before going back to measures which have been passed over, Senators who have been waiting for an opportunity to have considered bills in which they are interested be heard? I make that as an observation, if we could proceed in that way. There are a few measures at the foot of the calendar to be taken up.

CHARGES FOR OVERTIME GRAIN INSPECTION APPEALS

The Senate proceeded to consider the bill (S. 2007) to amend the United States Grain Standards Act, 1916, as amended, to permit the Secretary of Agriculture to charge and collect for certain services performed and to deposit such collections to the credit of the appropriation available for administration of the act, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 3, after the word "Standards", to strike out "act, 1916" and insert "act"; on page 2, line 22, after the word "overtime", to insert "night, or holiday", and, on page 3, at the beginning of line 3, to insert "night, or holiday"; so as to make the bill read:

Be it enacted, etc., That section 6 of the United States Grain Standards Act (39 Stat. 484; 7 U. S. C. 78) is hereby amended to read as follows:

"SEC. 6. Whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain sold, offered for sale, or consigned for sale, or which has been shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may, either with or without reinspection, appeal the question to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade: *Provided*, That any appeal from such inspection and grading to the Secretary of Agriculture shall be taken before the grain leaves the place where the inspection appealed from was made and before the identity of the grain has been lost, under such rules and regulations as the Secretary of Agriculture shall prescribe. Whenever an appeal shall be taken or a dispute referred to the Secretary of Agriculture under this Act, he shall charge and assess, and cause to be collected, a reasonable fee, in amount to be fixed by him, and such charges as may be necessary to cover cost of travel and pay of assigned employees and such other items of expense as the Secretary of Agriculture may deem necessary, in connection with overtime, night, or holiday work on appeal inspection. The fee, in case of an appeal, shall be refunded if the appeal is sustained. All such fees, not so refunded, shall be deposited and covered into the Treasury as miscellaneous receipts. All such charges for travel, pay, and other items of expense in connection with overtime, night, or holiday work on appeal inspections shall be deposited to the credit of the appropriation available for the administration of the United States Grain Standards Act. The findings of the Secretary of Agriculture as to grade, signed by him or by such officer or officers, agent or agents, of the Department of Agriculture as he may designate, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States as prima facie evidence of the true grade of the grain determined by him at the time and place specified in the findings."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ELLENDER. Mr. President, I ask unanimous consent that an explanation of S. 2007 may be printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF S. 2007

This bill provides for assessing the costs of overtime appeal inspection work under the Grain Standards Act against the appellant in all cases. Such charges are now authorized only in the case of grain for export.

The Grain Standards Act provides for inspection and grading of grain by inspectors licensed by the Secretary of Agriculture and for appeals of disputes regarding the licensee's grade.

The Government now makes a charge for this appeal inspection, in only two cases. First, if the original grade is sustained on appeal, and second, if overtime work is required in the case of grain for export. This bill would authorize making charges for all overtime work on appeal inspections, whether at ports or at inland points.

The amount of funds required to defray the costs of overtime work on appeal inspections is extremely difficult to determine in advance, because the number of the appeals to be made is unpredictable and because the timing of these appeals is such that considerable overtime, holiday, and nightwork at premium rates of compensation is required. As no authority currently exists for reimbursement for overtime costs at inland points, it has been necessary to deny many requests for appeal inspections. An even greater number of applications have not been filed when the interested parties learned that their appeals could not be handled within a reasonable time. In making charges for overtime work applicable to all users of the service and reimbursable to the appropriation regardless of location of the work, the Department could more nearly respond to all requests for appeal inspections.

The committee amendments would (1) correct the reference to the title of the act being amended, and (2) make the bill specifically applicable to night and holiday work, as well as overtime work, since the act of August 28, 1950, is now so applicable and it is the purpose of the bill to accord to all inspection appeals the same treatment as that provided by the act of August 28, 1950, for export inspection appeals.

PEANUT MARKETING QUOTA PROVISIONS

The bill (H. R. 6570) to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER. Mr. President, I ask unanimous consent that an explanation of Calendar No. 811 (H. R. 6570) may be printed in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 6570

This bill would exempt peanuts marketed for consumption as boiled peanuts from acreage allotments and marketing quotas. They would have to be marketed in green form, without drying, in order to be exempt. It would be effective only for the 1957, 1958, and 1959 crops. Green peanuts marketed for boiling purposes do not compete with dry peanuts which move in regular commercial channels. Boiled peanuts are handled in exactly the same manner as a fresh vegetable. They are usually delivered to produce houses in bushel baskets the same day they are harvested. The produce companies sell them to local grocery stores and they are placed on the produce counters in these stores alongside of fresh corn, beans, and like products. The large majority of green peanuts are sold exclusively for table use.

Green peanuts cannot be harvested satisfactorily by mechanical means. The nuts must be removed from the vines by hand, so that the only farmers who can economically raise green peanuts for market are those who have large families, and even then the acreage on any one farm is relatively small. This bill will permit farm families to make a little additional income producing a commodity which is now in short supply and which in no way competes with the type of peanut usually marketed.

BILLS PASSED OVER

The bill (H. R. 8643) to authorize the construction of certain works of improvement in the Niagara River for power, and for other purposes, was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7910) to revise laws relating to the handling of short paid and undeliverable mail, and for other purposes, was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2672) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2674) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over. That completes the regular call of the calendar.

The clerk will state the bills which were placed at the foot of the calendar.

REIMBURSEMENT OF MEADOW SCHOOL DISTRICT, UPHAM, N. DAK.

The bill (S. 212) to provide for the reimbursement of Meadow School District, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands was announced as next in order.

Mr. STENNIS. Mr. President, is that a bill which had been placed at the foot of the calendar?

The PRESIDING OFFICER. It is. Is there objection to the present consideration of the bill?

Mr. CHAVEZ. Mr. President, I had heretofore objected to order No. 656, S. 212, but, after investigation, I have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 7, after the word "Act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Meadow School District No. 29, Upham, N. Dak., the sum of $5,197.56 in full satisfaction of such school district's claim against the United States for reimbursement of loss of revenue resulting from the acquisition by the United States Department of the Interior of approximately 30 percent of the lands within such school district for a wildlife refuge, such amount representing the equitable share of such school district's bonded indebtedness remaining due against such lands acquired by the Department of the Interior at the time of such acquisition: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

Mr. STENNIS. Mr. President, there are certain conference reports that are really a part of the calendar—

The PRESIDING OFFICER. The Chair will state to the Senator that the pending business is a conference report—the pending business, not the unfinished business.

Mr. STENNIS. Very well.

The PRESIDING OFFICER. The next bill passed to the foot of the calendar is Calendar No. 790, H. R. 8053. Is there objection to its present consideration?

There being no objection, the Senate proceeded to consider the bill (H. R. 8053) to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

Mr. CASE of South Dakota. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed on page 2, line 13, to strike out the words "for which," and insert in lieu thereof the words "eligible for"; and in lines 14 and 15, to strike out the words "is being provided by or," and insert in lieu thereof the words "within the same State."

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. CLARK. Will the Senator give a brief explanation of the purpose of the amendment?

Mr. CASE of South Dakota. It is for the purpose of clarifying the question which was raised earlier in the discussion. I think the amendment clears up the intent of the bill. It clarifies the bill, so as to make it clear that the provision will not defeat the purpose of the bill. I discussed the matter with the Senator from Wyoming [Mr. BARRETT]. I see he is on his feet. I shall be glad to answer any question he may have.

Mr. CLARK. Mr. President, will the Senator yield to me first?

Mr. CASE of South Dakota. I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to say, with some regret, that since the chairman of the committee is not on the floor, and since none of the other members of the committee are present, I am unable to accept the amendment at this time and will have to ask that the bill go over.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. BARRETT. I call attention to the language in the report on page 2, at the end of the third paragraph:

This limitation is not intended to restrict or limit in any way the exercise of the general authority of the Surgeon General (transferrer to him by Public Law 568 of August 5, 1954) to determine the Indians to whom health and medical services are to be provided.

It seems to me the language in the report makes abundantly clear the authority which is granted to the Surgeon General to take care of the particular patients mentioned by the Senator earlier this afternoon. I hope the Senator will withdraw his amendment, so we can have the bill passed by the Senate today. I call attention to the fact that we are in the closing days of the session. At least, we hope so. It seems to me if there is any necessity for revision of the language or for an amendment it can be done in the other body. I hope the Senator will not press his amendment and that the Senate will pass the bill at this time.

Mr. CASE of South Dakota. This is a House bill. Of course, if the bill is passed without amendment, it will go directly to the White House. That is what I would like to see happen if the bill does what the Senator from Wyoming says it does. However, there seems to be a limitation in the proviso which restricts hospital and medical care to those categories of Indians for whom service is being provided for by or at the expense of the Public Health Service on the date of its enactment. I should like to say Indians living on reservations today, where there are no hospitals, but where a contract exists for hospital service in some adjacent or community hospital, are clearly entitled to the services. The question arises only with respect to Indians who live on reservations where there is a hospital, and who leave the reservation in search of work in a nearby community.

If it can be agreed that it is the intent of the bill that their eligibility is not destroyed by such Indians moving to nearby communities, I would be willing to see the bill passed without amendment, and will withdraw my amendment, if I can have some assurance by Senators on the floor that that is the intent of the bill as it is now written.

Mr. BARRETT. I think the clear intent is to vest in the Surgeon General discretion to interpret the language of the bill itself. Certainly, after the discussion, I feel it should be very clear that Congress intends that the Indians referred to by the Senator from South Dakota, will be provided hospitalization under the circumstances mentioned by him.

Mr. CASE of South Dakota. And if they are eligible for hospitalization today, the Surgeon General may take into consideration their number, so to speak, in determining the hospital costs in a nearby community when the Indians have moved to a nearby community.

Mr. BARRETT. I am sure the Surgeon General will respect the intentions expressed on the floor of the Senate by the Senator from South Dakota and other Senators. It seems to me that is precisely what he would do in any event.

Mr. CASE of South Dakota. Mr. President, I thank the Senator, and I withdraw the amendment.

The PRESIDING OFFICER. The Senator from South Dakota withdraws his amendment.

The question is on the third reading of the bill.

The bill (H. R. 8053) was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, if I may so state, there are ready certain conference reports which I really consider to be a part of the calendar, and which the Senator from Mississippi [Mr. EASTLAND] wishes to dispose of before we go back the second time to the bills on the calendar.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi ask unanimous

consent that certain conference reports be considered before the pending business is taken up?

Mr. EASTLAND. Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent to consider what conference report?

Mr. GOLDWATER. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senate will be in order, so that the Chair can hear the colloquy.

THE CIVIL-RIGHTS BILL

Mr. GOLDWATER. Mr. President, reserving the right to object—and I shall not object—I do not desire to engage the Senate for longer than 1 minute, and I hope less than that.

I read in the newspapers and heard on the radio over the weekend that the distinguished Representative of Massachusetts [Mr. MARTIN], and our distinguished minority leader, the Senator from California [Mr. KNOWLAND] made the statement that civil-rights legislation is now dead for this session.

Mr. President, I cannot agree to that. I cannot agree that reasonable, intelligent, honest Members of the House and the Senate cannot get together and iron out their differences, to the end that a civil-rights bill will become law. I believe they can get together and confine the jury trial provision, if that is necessary, to the subject of voting.

Mr. President, let us not take a defeatist attitude that the civil-rights bill is dead for the session. It is not the bill which some proponents of civil rights wanted, but nevertheless I do not wish to be a party to any accusation of death before the blow is delivered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Let the Chair attempt to clear up the situation. As the Chair understands the Senator from Mississippi [Mr. EASTLAND] desires to make unanimous-consent request.

Mr. NEUBERGER. I should like to make an observation on the unanimous-consent request, if I may.

The PRESIDING OFFICER. The unanimous-consent request has not been stated as yet. The Chair desires to know whether the Senator from Mississippi is seeking unanimous consent to take up a certain House bill.

Mr. EASTLAND. Mr. President, I should like to move concurrence of the Senate in certain House amendments.

The PRESIDING OFFICER. House amendments to Senate bills?

Mr. EASTLAND. That is correct.

Mr. CASE of South Dakota. Mr. President, I think we ought to know which bills are involved.

Mr. EASTLAND. They have been cleared all down the line. There are 10 of them.

Mr. CASE of South Dakota. Mr. President, I have a memorandum which was left with me on that subject.

The PRESIDING OFFICER. These are privileged matters.

Mr. NEUBERGER. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. NEUBERGER. Reserving the right to object, I make an observation on the unanimous-consent request?

Perhaps the acting majority leader can clear up a matter of interest to me. There is now pending on the Senate Calendar a conference report of the Indian Affairs Subcommittee, of which I am chairman, relating to Senate bill 469, in which the House made certain changes. The conference committee has met, agreed on a report, and the House has adopted the conference report.

The assurance I should like to have relates to the situation at present. This involves a matter where time is of the essence. Would it be possible to have the conference report considered tomorrow by the Senate?

Mr. STENNIS. The acting majority leader will have to advise the Senator from Oregon later about that, after looking into the matter. I think the list is already made up and it would hardly be possible to change. That is my impression.

Mr. NEUBERGER. I hope that assurance can be given, because we do not have too much time before the Senate should act on it.

Mr. STENNIS. I appreciate the Senator's position. I will look into it further.

Mr. NEUBERGER. I thank the Senator.

I have no objection to the unanimous-consent request.

The PRESIDING OFFICER. Will the Senator from Mississippi please indicate the bills with respect to which he is requesting unanimous consent?

Mr. EASTLAND S. 525, S. 650, S. 701, S. 827, S. 833, S. 874, S. 988, S. 1112, S. 1171, and S. 1251

The PRESIDING OFFICER. The Chair will state that the Senate will consider these matters one at a time.

Mr. EASTLAND. Very well.

RHODA ELIZABETH GRAUBART

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 525) for the relief of Rhoda Elizabeth Graubart, which was, in line 7, after "fee" insert ", and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That, unless the beneficiary is entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act."

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

ISABELLA ABRAHAMS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 650) for the relief of Isabella Abrahams, which was to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Isabella Abrahams. From and after the date of the enactment of this act, the said Isabella Abrahams shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

KARL EIGIL ENGEDAL HANSEN ET AL.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 701) for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen, which were, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Karl Eigil Engedal Hansen may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to grounds for exclusion of which the Department of State and the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act for the relief of Karl Eigil Engedal Hansen."

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

GUILLERMO B. RIGONAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 827) for the relief of Guillermo B. Rigonan, which was, in line 7, to strike out all after "fee." down through line 12.

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

VIDA LETITIA BAKER

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 833) for the relief of Vida Letitia Baker, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Vida Letitia Baker. From and after the date of the enactment of this act, the said Vida Letitia Baker shall not again be subject to deportation by reason of the

same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

CORNELIS VANDER HOEK

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 874) for the relief of Cornelis Vander Hoek, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Cornelis Vander Hoek. From and after the date of the enactment of this act, the said Cornelis Vander Hoek shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

SATOE YAMAKAGE LANGLEY

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 988) for the relief of Satoe Yamakage Langley, which were, in line 3, to strike out "paragraph" and insert "paragraphs (9) and"; in line 5, after "be" to insert "issued a visa and", and in line 9, to strike out "paragraph" and to insert "paragraphs."

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

MATSUE HARADA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1112) for the relief of Matsue Harada, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Matsue Harada. From and after the date of the enactment of this act, the said Matsue Harada shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

HARRY SIEGBERT SCHMIDT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1171) for the relief of Harry Siegbert Schmidt, which were, in line 3, strike out "provision" and insert "provisions"; in line 3, after "(1)" insert "and (4)"; in line 8, strike out "this exemption" and insert "these exemptions", and in line 8, strike out "a ground" and insert "grounds".

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

FLORINDA MELLONE GARCIA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1251) for the relief of Florinda Mellone Garcia, which were, in line 3, to strike out "paragraph" and to insert "paragraphs (9) and", and in line 9, to strike out "paragraph" and to insert "paragraphs."

Mr. EASTLAND. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

The STENNIS. Mr. President, so far as the acting majority leader is advised, that completes the call of the calendar. I am advised that the pending order of business is the conference report on Public Law 480.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. ELLENDER obtained the floor.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from South Dakota.

TVA AND NIAGARA POWER BILLS

Mr. CASE of South Dakota. I desire to address an inquiry to the acting majority leader. I should like to know whether he can advise the Members of the Senate the plans for considering the so-called Tennessee Valley Authority and the Niagara power bills. Have they been indicated for scheduling?

Mr. STENNIS. The acting majority leader is advised that there will be a conference with the policy committee by the majority leader regarding those bills during the continuation of debate on the civil-rights bill, and we expect to have an announcement soon, certainly before that bill is disposed of.

Mr. CASE of South Dakota. Mr. President, I think it is generally desirable that both of those bills receive consideration before the Congress adjourns, or completes its work. It is also desirable that Members of the Senate have as much advance notice as possible with respect to both bills.

Mr. STENNIS. Mr. President, I heartily agree with the Senator in his expression of a desire that the bills referred to be considered. I believe there will be a forthcoming announcement.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. KEFAUVER. I join in the sentiments expressed by the distinguished Senator from South Dakota relative particularly to the urgency of action on the TVA bill. As the acting majority leader knows, we shall be presented with a very desperate situation in the Tennessee Valley for electricity unless some action can be taken during this Congress.

It is my understanding that the tentative plan was, when the civil-rights bill was out of the way, to bring up the Niagara and Tennessee Valley Authority bills.

Mr. STENNIS. As the acting majority leader recalls, the Niagara bill was pending, and was superseded by the civil-rights bill. I agree with the Senator that the bills referred to should be considered.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

Mr. ELLENDER. Mr. President, at the outset I wish to state that the conferees on Senate bill 1314, extending Public Law 480, were unanimous in the agreement which was reached.

The bill as it comes from the conference does not differ in substance from the Senate bill, with the exception of two amendments, one proposed by Representative COOLEY and the other by Representative WHITTEN.

As we all know, the purpose of the Senate in providing for the repeal of section 304 of Public Law 480 was to provide authority for barter transaction with, and section 416 donations to, European satellites of the Soviet Union on a selective basis. The House felt that it was best to spell out the countries with whom such barter and donation arrangements could be made. This was done by excluding from such arrangements only the U. S. S. R. and the satellites connected with Red China.

The so-called Cooley amendment, which was agreed to by the conferees after some modification, provides that a certain percentage, not in excess of 25 percent, of the funds obtained shall be used for loans to American firms for business development and trade expansion and to American and foreign firms for purposes related to the development of markets for United States agricultural products. One of the modifications made in this proposal by the conferees provides assurance that none of these funds should be used for the production of commodities to be marketed in competition with agricultural commodities produced in the United States or products thereof.

The so-called Whitten amendment merely provides that reports on these sales shall be made to the Congress within 60 days after each agreement is made.

That is about the sum and substance of the conference report. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a further explanation of the conference report in detail, with particular reference to the amendments which we eliminated, and those which were incorporated in the conference substitute.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE CONFERENCE REPORT ON S. 1314

The provisions of the Senate bill extending titles I and II of Public Law 480 to June 30, 1958, increasing the amount authorized for title I by $1 billion, and increasing the amount authorized for title II by $300 million, were also contained in the House amendment and were, therefore, not in conference. The only provision of the Senate bill which was not also contained in the House amendment was the provision repealing section 304 of Public Law 480; and the conference substitute contains a provision amending section 304 to accomplish the substance of the Senate provision. The so-called Rooney and Smith amendments contained in the House amendment have been omitted from the conference substitute. The so-called Cooley (or Humphrey) and Whitten amendments are included in the conference substitute, the former with some modification.

DIFFERENCES BETWEEN S. 1314, AS PASSED BY THE SENATE, AND THE CONFERENCE SUBSTITUTE THEREFOR

The conference substitute differs from S. 1314, as passed by the Senate, in the following respects:

First, the Senate bill would have repealed section 304 of Public Law 480. The purpose of such repeal was to permit barter transactions with Iron Curtain countries and donations to such countries under section 416 of the Agricultural Act of 1949. The Department of Agriculture, in recommending such repeal, advanced as the reason for repeal that it would make barter transactions with European satellites possible. The conference substitute, in lieu of repealing section 304, amends it to permit barter transactions with, and section 416 donations to, Iron Curtain countries, except Russia and areas controlled by the Communist regime in China. It therefore carried out the purpose of the Senate bill and permits the transactions which it was contemplated might be made under the Senate bill.

Second, the conference substitute amends section 104 (e) of Public Law 480 to encourage the use of foreign currencies generated under title I of Public Law 480 for loans to United States firms for business development and trade expansion and for loans to either United States or foreign firms for the establishment of facilities designed to increase the market for United States agricultural products. The provision includes safeguards against loans which would create competition with United States commodities and products. All loans under this provision would have to be agreeable to the country with which the agreement is made. This provision of the conference substitute represents a slight modification of the so-called Cooley (or Humphrey) amendment. The modifications accomplished two purposes. They enlarge the provision to provide for loans to foreign firms for the establishment of facilities to increase markets for United States agricultural products; and they prohibit loans being made under this provision for the production of any commodity to be marketed in competition with United States agricultural commodities or their products.

Third, the conference substitute includes the so-called Whitten amendment which provides for reports to Congress within 60 days after each agreement is entered into.

PROVISIONS OF THE HOUSE AMENDMENT OMITTED FROM THE CONFERENCE SUBSTITUTE

Two provisions contained in the House amendment to S. 1314 are not included in the conference substitute.

One of these, the so-called Rooney amendment, would have prevented the use of foreign currencies generated under title I of Public Law 480 for educational exchange activities and the translation, publication, and distribution of books and periodicals, unless such use was authorized by appropriation act. At the time that the agreement for the sale of the surplus agricultural commodities is made neither the United States nor the foreign country can know what action may subsequently be taken by Congress with respect to the appropriation of funds. This provision would, therefore, have made it impossible for the United States to make a firm commitment with respect to the use of the foreign currencies to be generated by the agreement and, to that extent, would have hampered the making of the agreement. Congress, in subsequently appropriating funds for these activities, is fully advised of the amount of foreign currencies generated under title I which are committed to such purposes and is able to limit the appropriation of additional funds from the Treasury accordingly.

The other provision of the House amendment, which has been omitted from the conference substitute, is the so-called Smith amendment, which would have provided for the donation of surplus food commodities to additional penal and correctional institutions. The Department of Agriculture has advised that present outlets for surplus foods are adequate to absorb remaining stocks in Government hands, as well as stocks which may reasonably be anticipated in the future.

Mr. CASE of South Dakota. Mr. President, did I correctly understand the chairman of the Senate conferees to state that the conference report was agreed to unanimously?

Mr. ELLENDER. The Senator is correct.

Mr. CASE of South Dakota. Does that apply to all the conferees on the minority side, in both the House and the Senate?

Mr. ELLENDER. The Senator is correct.

Mr. COOPER. Mr. President, I wish to congratulate the distinguished Senator from Louisiana for his leadership, both in the Senate and in the conference committee, in bringing before the Senate this conference report. I know it will be agreed to unanimously, and I do not wish to delay its consideration for any length of time. But I should like to make a few remarks on the Public Law 480 program. To my mind it comes close to achieving the position of being the ideal foreign-aid program. I am glad that I had the opportunity in 1954 to vote for the establishment of the program. I remember the leadership which the distinguished Senator from Louisiana [Mr. ELLENDER], the Senator from Mississippi [Mr. STENNIS], and the Senator from Arkansas [Mr. MCCLELLAN] on the minority side at that time, as well as the Senator from Vermont [Mr. AIKEN], the Senator from South Dakota [Mr. CASE], his colleague [Mr. MUNDT], the Senator from North Dakota [Mr. YOUNG], the Senator from Minnesota [Mr. THYE], and others on this side afforded in establishing that program. And I remember, of course, the great interest which the Senator from Minnesota [Mr. HUMPHREY] has taken.

One reason I wish to make a few remarks today is that, in addition to having the opportunity to vote for the establishment of the program, I had the opportunity later, when I was serving as a representative of the United States in India, to assist in the negotiation of a Public Law 480 agreement with that country, and to observe something of its operation. That is the reason I wished to say today that I believe it comes very close to achieving the position of an ideal foreign-aid program.

While I was in India I saw the conditions in that country which made this agreement so very valuable, and I watched some of the results accomplished with the assistance of this program. I believe that the circumstances which made it important in that country, and the results which I saw, are typical of the situation in other countries.

I believe that several aspects of the Public Law 480 program deserve greater emphasis than they may have received.

When the United States sells its surplus agricultural products to foreign countries in return for local currencies we are doing more than supplying the fundamental requirements for human existence—that is, food and clothing—as important as this alone would be; we are also contributing to the industrial development of countries struggling to secure economic independence and a higher standard of living for their people.

First, however, we should not underestimate the crucial importance of food to countries which have seldom had enough to feed their people. In the newly independent countries of the world. Governments are faced with sharp and insistent demands by their people for more food and clothing—simple things, which we take for granted—the first demands which the achievement of political freedom has permitted them to voice. If the democratic governments of these countries cannot meet this first and basic need, their people will question democratic methods and may in time look for other systems of government.

By supplying large quantities of food and fiber, the United States can help fill the inevitable gap in domestic supplies of countries only recently embarked on intensive agricultural development programs—a gap which will continue until their new agricultural programs bear fruit.

The collateral effects of supplying food, I think, are very important and less widely appreciated.

First, countries buying our surplus commodities for local currencies are provided with a new source of revenue for local economic development purposes. As the Senate knows, one of the major handicaps of underdeveloped countries is the lack of available capital. Taxes,

savings, and deficit financing have often been insufficient to provide necessary amounts of local currencies. Under Public Law 480, however, the local currencies paid for American agricultural products become a new fund for local economic development. This is money—paid by the people of their food supplies—which would otherwise be unavailable for investment purposes. But by lending this money to governments, the United States creates new sources of local investment capital.

Second, our sales of surpluses under the Public Law 480 program acts as a strong check on the inflationary forces of countries expanding their industrial economies. A common cause of inflation in these countries is the inability of agricultural production to keep up with the increased purchasing power created by industrial development, however meager the advance in purchasing power may be. For instance, an annual increase of $2 to $5 per person in income will ordinarily go toward the purchase of food and clothing, since the first demand of the people is for these necessities of life. But this slightly increased income may be more than consumed by the artificially higher prices paid for the short supplies of food and clothing.

Our Public Law 480 programs, by making available supplementary supplies of food and fiber, help supply the increased demand and in effect, balance the supply-demand equation. Public Law 480 is, therefore, a valuable instrument in the fight against inflation—which is one of the most destructive forces at work in newly developing economies.

Third, countries buying our food under Public Law 480 save, to that extent, the drain on their scarce supplies of foreign currencies. This foreign exchange can be saved, instead, to purchase the capital goods, machinery, and other supplies on which their industrial development depends, and which can be obtained in no other way.

Progress is made, therefore, by permitting countries to use their foreign exchange as much as possible for wealth-producing facilities instead of the necessary, but non-wealth-generating, supplies of food.

This program is also of great psychological importance to the people of the recipient countries. It provides a means—through the purchase of food for which payment is made to the treasury of the country—whereby a whole nation, all the people, contribute directly to the development efforts of their government. The money they spend for food thus, in turn, helps to stimulate greater agricultural and industrial production to advance further their own and their countrymen's standard of living.

As I have indicated, however, there are benefits under this program for us as well as for the countries receiving our agricultural surpluses.

The first and most obvious benefit is the reduction in stocks of agricultural surpluses each time we sell them abroad. We have learned that surpluses depress prices which our farmers receive, and they require vast and expensive storage facilities. Public Law 480 helps relieve both burdens.

The degree of this relief is indicated by the latest figures showing the approximate quantities of agricultural commodities involved in agreements signed from the beginning of the program through June 30, 1957:

Wheat and flour, 453,951,000 bushels.
Feed grains, 75,048,000 bushels.
Rice, 22,733,000 hundredweight.
Cotton, 2,682,400 bales.
Tobacco, 160,426,000 pounds.
Dairy products, 116,438,000 pounds.
Fats and oils, 1,774,617,000 pounds.
Poultry, 3 million pounds.
Dry edible beans, 44,000 hundredweight.
Fruits and vegetables, 123,932,000 pounds.
Meat, 156,125,000 pounds.
Hay and pasture seeds, 55,000 hundredweight.

Mr. President, I am sure the Senate will agree that it is much more profitable to sell these crops for local currencies under Public Law 480 than to be forced again to further restrict our agricultural production or to pay our farmers for not producing the food which the rest of the world needs so desperately.

Other benefits are important, too: for instance, the development of overseas markets for American producers—markets with great potential for the future, which can be started now with the experience of this program; the payment of United States obligations in foreign countries; and the procurement of strategic materials.

But the most underrated or overlooked effects of our Public Law 480 programs—in terms of United States interests—are in the field of foreign policy. I would especially emphasize two of them.

The first is the fact that the United States, alone among the nations of the world, can afford to export large quantities of food on terms which the poorest countries can afford, and that fact is of revolutionary importance.

It gains significance if we contrast our own foreign-aid activities with those of Soviet Russia. Russia can and does make loans to underdeveloped countries on easy terms; supplies a certain amount of capital goods for development purposes; and trains personnel in technological processes. I interject to say that Russia makes loans on easier terms than does the United States, and that Russia is training many more people from underdeveloped countries in technology than is the United States.

The United States can do and has done all of these things.

But, in addition, we can do something Russia cannot do. We can help supply the most basic need of all peoples—food. And we can do so without prejudicing the independence or integrity of the countries accepting our food.

One of the principal objectives of United States foreign policy is the maintenance by democratic countries throughout the world of their sovereignty and independence. Most of the newly independent countries have chosen freely to adopt the institutions and the system of democratic government. But it will be difficult for their governments to hold the support of their people for this unfamiliar system unless they can succeed in securing a minimum economic stability and in advancing the living standards of the people.

And food is the first requirement.

It would not be out of place here to remind ourselves that our people and our Nation—which have been blessed with a great abundance of food and other material necessities—have some spiritual and moral obligation to make available at least a share of our riches to those who need and who struggle for advancement.

Our Public Law 480 programs represent a part of this obligation, and one opportunity for making a great contribution to the peace and well-being of the world.

I hope this important program can be expanded and developed to make even greater contributions in the future. We are in the unique position of being able to do something no other country can do, and of being able to say to the peoples of the world struggling for their material and spiritual needs: "There can be both food and freedom."

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE of South Dakota. Mr. President, I wish to commend the distinguished Senator from Kentucky, who speaks with authority from personal experience on the utilization of our surplus foods under the so-called Public Law 480 program.

As the Senator from Kentucky knows, the idea of selling our surplus food for foreign currency had its origin very humbly in a suggestion which was brought to the attention of the Committee on Armed Services, of which he was a member, when General Van Fleet returned from Korea and told us about the situation there.

It has had two expressions. The first bill I introduced was devoted solely to Korea, and it had the twofold purpose the Senator has mentioned; first, as a contribution to the solution of our surplus food program, and second, on the constructive side to which the Senator has devoted his address, namely, the utilization of the food for the benefit of the people of foreign countries in exchange for their currencies. It occurs to me it would be appropriate for Congress to set up a special committee or commission to consider the resources which have been established, both by way of counterpart funds under the foreign aid program and in the form of foreign currencies which have been generated by the sale of surplus commodities; and to determine how they have been applied up to the present time, and the purposes to which they might be applied.

As the distinguished Senator from Mississippi [Mr. STENNIS] knows, a special application of this idea was made in the military construction bill in 1953 and 1954, so as to make surplus commodities available for the acquirement of credits in foreign countries, credits which could be used for the procurement of military housing for our military per-

sonnel overseas. That program subsequently was expanded to make the foreign credits so generated available for other military procurement. But that is a specialized field.

The utilization of such credits for scholarship purposes, for the exchange of students, for the acquisition of strategic materials, for the payment of embassy expenses, for the establishment of loan funds for the development of some underprivileged countries—all of these are purposes for which credits, which I suppose now amount to about $3 billion, could be well surveyed, to see whether we are making the best use of the foreign credits.

I think the Senator from Kentucky has performed a special service this afternoon in drawing attention to the constructive aspects of the use of our surplus foods for these purposes.

Mr. COOPER. I thank the Senator from South Dakota. I remember his interest at the time of the initiation of the program.

I wanted to speak of it briefly today, because, as I said, I had an opportunity to see the program in operation. I think of its many aspects of value to the countries to which we send food. I think of its aspects of value to our own country. I have come to the conclusion that in many respects it is our best balanced program of aid.

Although many persons decry, or express concern about, the surpluses which the farmers produce in the United States, I think we are very fortunate to have such surpluses at this time, when so much is at stake in many other countries, especially as concerns their need for food.

I point out, without repeating in detail what I said in my brief remarks, that this program has many values and I think it must be seen in operation in order to be appreciated. I am glad I had the opportunity to see the workings of this great program which Congress, including many Senators who are on the floor today, helped to initiate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. I have seen the results of the work of the Senator from Kentucky in India, having been there myself not too many months ago. I think the Senator from Kentucky made one of the most outstanding contributions ever made by an American serving abroad.

The Senator from Kentucky succeeded Mr. Chester Bowles, who was a very popular Ambassador. It was expected by some persons that when the Senator from Kentucky went to India as Ambassador he would suffer by comparison; it was hard to understand how he could prosper under it.

Yet I found when I was in India that, in his own way, the Senator from Kentucky was the equal of Mr. Bowles, in the eyes of many persons, and had done better in some ways, although I do not in any way wish to deprecate the great services rendered by Ambassador Bowles.

The Senator from Kentucky made a remarkable record, and he made it because he understood exactly subjects like the one to which he has addressed himself.

When I was a Member of the House I sponsored the grain bill for India and the grain bill for Pakistan. I found when I was in India some 5 or 6 months ago with my wife that the heritage of gratification and satisfaction which those two enactments had left was tremendous.

I also found—and I think this is something which we in Congress must understand—that the classic Communist approach is to starve people in order to build industry. That is the way in which the Communists have been successful in many areas, including Communist China, and also in the Soviet Union itself.

If we want to do a better job of raising living standards, we must find a way in which to prevent the starving or dragooning of people while they build their industry, in the way in which they have been treated in the Communist countries, and as they are being treated now in Communist China, where tens of thousands of executions have taken place in order to repress anyone who might think he would like to eat a few morsels, instead of having industry build up quite so fast.

We have in the surpluses of American agriculture, one of the greatest means of assisting humanity in other lands. If we use them well, we will bear out what has been said on the floor concerning how the need for food and other resources can be of great value to America in the struggle abroad.

I am grateful to the Senator from Kentucky, in addition to the outstanding work which he did in India, for his participation in and understanding of American foreign policy, which he has shown in his address. I can only hope that by legislative action and by action in the Department of State, through the President of the United States, we can show a similar understanding of the world mission which this bill and the policy which it carries out will enable us better to perform.

Mr. COOPER. I thank the Senator from New York for his remarks. So far as my services are concerned, I was very fortunate to follow such men as Mr. Bowles, Mr. George Allen, Mr. Loy Henderson, Mr. Grady, and others. I did not mean to call attention to that. I simply wanted to focus attention on the great opportunity we have to help countries in the great field of supplying food and fiber and lending them the means for economic development.

Mr. STENNIS. Mr. President, I first wish to commend the senior Senator from Louisiana [Mr. ELLENDER] for his fine work not only on the bill and the conference report, but also for his efforts throughout the years on this subject. It is all characteristic of the splendid work he does in the Senate and of the great contribution he makes—and very modestly makes, because his real achievements are buried in the books. But it is a long, fine story when it is all brought out and made public.

I was very much impressed with the comments of the Senator from Kentucky, especially with his emphasis upon this program and its possibilities. I think it is of particular value to the Senate and to the country to have his testimony and his verdict upon this timely subject, because he speaks from experience—an experience gained not only in this Chamber, but also as an Ambassador having knowledge of world conditions. I appreciate greatly his leadership and his pointing out the very excellent possibilities of this program.

The distinguished Senator from South Dakota [Mr. CASE] pioneered some of this legislation, which is now more or less permanent, when he was the chairman of the Subcommittee on Military Construction of the Committee on Armed Services. That program was initiated as a real infant and has grown, perhaps not so rapidly as it should, but it has continued to grow and is a part of the entire program now. It holds very fine possibilities.

Mr. President, the primary objective of the Trade Development and Assistance Act of 1954, Public Law 480, was to reduce surplus agricultural commodities. I have been greatly impressed with the effective operations of this program in moving surplus agricultural commodities through private trade channels, with primary emphasis on trade rather than aid and giveaways.

Mr. President, for the past several years, along with the Senator from South Dakota [Mr. CASE] and the Senator from Washington [Mr. JACKSON], I have sponsored legislation in our Military Construction Subcommittee designed to use more foreign currencies in the construction of overseas military housing. In the military housing construction program of the Department of Defense, contracts have already been consummated in the following countries:

Country	Number of units	Cost (dollar equivalent)
United Kingdom (14 locations)	1,483	$15,000,000
France (20 locations)	2,700	50,000,000
Japan (22 locations)	1,691	17,000,000
Total	5,874	82,000,000

The following additional projects have been approved and will be placed under contract as soon as designing work has been completed and bids taken:

Country	Number of units	Cost (dollar equivalent)
Spain (5 locations)	426	$6,400,000
Italy (3 locations)	616	8,500,000
United Kingdom (22 locations)	960	12,000,000
Philippine Islands (Clark Air Force Base)	900	18,000,000
Bermuda (Kindley Air Force Base)	600	12,000,000
Morocco (3 locations)	500	8,000,000
Total	4,002	64,900,000

Still further projects are in the early stages of development for installation in Saudi Arabia, Morocco, Spain, Iceland, and other countries. All of these projects except those in the Philippines and Bermuda will be financed from existing United States-owned balances of local currency acquired through the sale of surplus agricultural commodities pursuant to title I, Public Law 480, 83d Congress.

Our Military Construction Subcommittee has also granted authority making possible barter-type operations under the CCC Charter Act. The barter program would enable countries who have not heretofore been interested in surplus commodities to negotiate for use of CCC stocks in construction of military housing. France recently contracted for $50 million for the construction of 2,700 housing units. The Defense Department has also been negotiating for barter contracts with the Philippines, Bermuda, and Libya. Barter programs could also be used to good advantage for 400 to 500 military-housing units in Saudi Arabia, 600 units in Morocco, and possibly additional projects in France.

Unfortunately, the Department of Agriculture has notified the Defense Department that they are not interested in entering into additional contracts for barter transactions. Such barter transactions offer an additional means of disposing of surplus agricultural commodities in countries which would not otherwise purchase them. It is my understanding that the Department's primary objection is based on a claim that surplus commodities moved by this means would displace cash sales for United States dollars, and the transactions would be entered on the CCC books as a loss to the agricultural program. This certainly appears to be a minor technical point which can be cleared up through legislation, and I strongly urge the Department of Agriculture to reconsider their position with the objective of continuing the barter program until such time as Congress can clarify this point.

Mr. President, I wish also to reaffirm my special interest in and support for an expanded use of foreign currencies in market development projects. This program is a move in the right direction and will be of lasting benefit in building strong markets for United States agricultural commodities in years to come. Such projects are already underway in 20 countries and involve the equivalent of about $5 million. About $32 million is earmarked for this purpose under existing agreements. This program has special merit from the standpoint of marketing studies, advertising, and sales promotion for increased markets for American cotton, and I hope that greater emphasis will be given to expanding the use of foreign currencies for this purpose.

This public law could and should become a major part of our foreign policy, as well as a major factor in our commercial dealings and relations with foreign countries. Most of our aid program could and should be built around and channeled through the policy reflected by this law, which should be further emphasized and pushed. It should become a permanent part of the structure of our dealings and relations with other countries.

During the 12-month period closing June 30, 1957, we actually spent $2.2 billion for military aid, and $1.6 billion for economic and other aid, a total of $3.8 billion. A great percentage of this huge cash outlay could have been channeled more effectively through this program. This is just one example of the great possibilities under title I of Public Law 480, which has moved sizable quantities of our surplus cotton and other agricultural commodities in an orderly and business-like way. I fully support extending this act for 1 year and increasing the authorization by $1 billion. I hope the Senate will give full approval to the conference report on S. 1314.

Mr. President, that is the bright spot I see in this program, as it progresses. It is necessary to continue such a program with friendly nations. It is necessary in aid of our policies and for the maintenance of our position among the friendly nations.

I believe that through this channel, in which the most constructive advance has been made, it will be possible to make permanent a really constructive development.

Mr. ALLOTT. Mr. President, at this time I should like to join the Senator from Kentucky [Mr. COOPER] and the Senator from Mississippi [Mr. STENNIS] in the remarks which they have made.

It seems to me that the Senator from Kentucky has a peculiar contribution to make here. Not only was he a Member of this body at the time when this legislation was being formulated, but as the United States Ambassador to India he has had an opportunity to see how the legislation works in one of the greatest, most populous countries of the world, and one which needs help and assistance in resisting communism probably as much as does any other country. Now, upon the return of the Senator from Kentucky to this body, he again assumes responsibility for the people of his State and for the people of the entire United States for this program and for other programs along the same line which may come later.

So it seems to me that his views regarding this matter have a peculiar significance and make a contribution which no other Member of this body is capable of making. I do not believe that any other Member of this body is capable of giving his own views the color and the weight which the Senator from Kentucky has given his views, in connection with his discussion in the Senate of this matter.

The statement of the Senator from Kentucky now, in supporting this program, after having seen how it works, should weigh heavily with all who question the possibilities and the significance of trading our commodities for the various benefits derived and for currency with which to purchase them.

I desire to compliment the Senator from Kentucky. I hope many persons will read his remarks, and, particularly, will read them in the light of his changing responsibilities, which in my opinion place a very great weight and a completely different color upon his views.

Mr. NEUBERGER. Mr. President, the extension of Public Law 480 is of special importance to my State, particularly the great vistas of eastern Oregon, which constitute one of the major wheat-producing areas of our Nation.

No organization has made a more serious or concerted effort to take advantage of the beneficial and forward-looking features of Public Law 480 than the Oregon Wheat Growers League. I believe something of their story should be told, as we of the Senate act to extend Public Law 480—at least, Mr. President, I trust that is to be our action on the Senate floor today.

The senior Senator from Louisiana [Mr ELLENDER] deserves great credit to his leadership in bringing this conference report before the Senate this afternoon, in his capacity as chairman of the Senate Committee on Agriculture.

Those who were present at the Public Law 480 hearings of Senator HUMPHREY'S Subcommittee on Agricultural Research and General Legislation, Friday, July 19, were generally agreed that they had heard a presentation of tremendous importance when Richard K. Baum, secretary-treasurer of the Oregon Wheat League, gave the fascinating account of how his organization has developed a market for wheat in Japan, India, and South Korea by using the machinery provided in Public Law 480. I believe every person in the hearing room was informed by Mr. Baum's report. If an anthology of the most significant committee statements were being assembled, I would enthusiastically recommend the inclusion of the report on activities of the Oregon Wheat League in the Orient. Here was information deserving of the widest circulation. Here were the facts and figures which described graphically the operation of a U. S. Government program on foreign soil.

If I may, Mr. President, I would like to call attention to some of the more salient details which Mr. Baum presented to the Senate Agriculture Committee. The Oregon Wheat Growers League was organized in 1926 and today has over 1,500 life members. At the request of the League, a State wheat commission was established 10 years ago to finance a self-help program. This was done by levying one-half cent per bushel on all wheat which members sold into commercial channels. As a member of the Oregon State senate, I voted for various State laws which aided in organization of the Oregon Wheat League.

OREGON GROWERS DEPEND ON EXPORT

Because of the vast distances separating the Pacific Northwest from the great population centers, freight rates have been restrictive, and the wheatgrowers have to rely in substantial degree on the export market. Exports for the region have averaged 68 percent of production since World War II, as compared to 34 percent for the other wheat-producing areas of the United States.

The administrator of the Oregon Wheat Commission was one of a three-man Government team which explored market opportunities in the Orient in 1949. In 1952 the commission joined with the Millers' National Federation to initiate a project of teaching the nutritional value of wheat foods at the Women's Christian College at Madras, India.

With this experience as a guide, the wheatgrowers were prepared to move fast when Congress passed Public Law

480 near the end of the 1954 session. The signing of the law by President Eisenhower was the go signal to Dick Baum, of the wheat league, Earl Pollock, grain marketing specialist for the Foreign Agriculture Service, and Gordon Boals, director of exports for the Millers' Federation. These men explored Asiatic markets for opportunities to use Public Law 480 to promote wheat and wheat products. As a result, a year later the Japanese had signed to purchase $85 million worth of farm products from the United States. It was recognized that the expansion of wheat consumption would be greatest in Japan, where, for reasons of economy and nutrition, official policy favored an increased use of such wheat foods.

Pollock and Baum returned again in 1955 to work out specific projects for promoting greater consumption of wheat foods. Mr. President, I should like to quote Mr. Baum directly at this point:

> We immediately were confronted with many problems, including the language barrier. There was also a misunderstanding on who was going to supervise the spending of the local currency funds and on what type of projects the money could be used. The Japanese industry groups, which produced wheat foods, were disorganized and competing among themselves for use of local currency. After almost 5 weeks, we achieved a coordination of the Japanese industry associations which are now working harmoniously to promote their products on a national basis. These groups include the bread bakers association, the dry noodle makers, the wet noodle makers, the biscuit makers and the macaroni makers.

It was a difficult job, this overcoming a centuries-old habit of dependence on rice. Education and promotion were the weapons chosen to effect a change in dietary habits. Many communities in Japan have no bakery, and transportation from baking centers is often inadequate. Many children had never before tasted wheat products of any sort. This was the task that faced the leaders of the Oregon Wheat Commission and the Oregon Wheat Growers League when they decided to send Joe Spiruta, a graduate of Oregon State College and a market analyst, to Japan to operate as their Far East representative.

Spiruta's first task was to prepare an exhibit for the International Trade Fair at Osaka, April 19 to 22, 1956. The exhibit proved tremendously successful. Three Japanese bakers worked at top speed to provide, from American prepared mixes, cakes, scones, rolls, and specialty products for the endless lines of curious Japanese who found the products novel, and by all reports gastronomically satisfying.

TRADE FAIRS HERALD SURPLUS AMERICAN FOODS

I should like to repeat Dick Baum's statement in regard to trade fairs, which he offered parenthetically:

> Trade fairs are proving to be an effective way to promote American agricultural commodities. Consideration should be given to establishing permanent United States agricultural trade centers in such important world markets as Tokyo. In effect, these centers would be permanent exhibits similar to what are used temporarily at trade fairs.

I hasten on, Mr. President, to mention briefly other projects reported on by Mr. Baum, in which the Oregon Wheat Growers League engaged in carrying on their educational and promotional campaign in the interest of greater consumption of Northwest wheat. Eight kitchen demonstration buses staffed by Japanese nutritionists travel throughout the country showing housewives how to prepare low-cost nutritious meals, including wheat foods. Since beginning this project, 2,514 demonstrations have been performed before 258,967 homemakers. The reaction of a typical Japanese homemaker, as reported in one of their leading newspapers, is indicated by this quotation:

> The materials they used were such that one could find in any shop around the corner, like fish meat sausage, whale meat, lamen (noodles), and the recipes that we could put to immediate use. While we were happily looking on, in no time these were finished—e. g., a dish of Chinese noodles, attractively garnished with chopped egg, ginger, string beans—sandwiches made with whalemeat, apple, and peanut butter dressing. These foods were divided among us and we all enjoyed the taste. What an up-to-date and splendid idea is the kitchen car.

Over 300,000 pieces of literature featuring the theme of a balanced diet, including wheat foods, were distributed as another project of the league's operation under Public Law 480.

One of the most impressive projects described by Mr. Baum is the establishment of a bakers' training school, located at the Japan Institute of Baking in Tokyo; the school trains 30 to 40 bakers in a 3 months course. When graduated, these bakers return to their home prefectures to train others in the art of baking wheat products. By this system of training, it is estimated that, in June, classes were held in 200 locations with approximately 10,000 students in attendance. This is similar to the training plan that enabled the United States to develop skilled workers so rapidly during World War II. If every baker who is trained can also interest his cousins and his aunts in wheat foods, it alone would develop a respectable new market.

Of coordinate importance is another project reported on at the hearing which is concerned with training home improvement extension workers to increase per capita consumption of wheat foods in the rural areas. Let me again quote directly from the report of Mr. Baum, if I may, Mr. President:

> Generally speaking, the agricultural segment of Japan is the poorest fed portion of the nation because they try to sell as much as possible from their tiny 2- and 3-acre farms, keeping barely enough food to get by. Also, due to their extremely low-income level, they fail to buy off-farm foods to vary their diet. In the rural areas, the per capita consumption of wheat foods is only about 8½ percent of the diet compared to about 35 percent for the Tokyo adult. One home improvement extension worker from each of the 46 prefectures received two courses of 10 days' training, each, during the past year in Tokyo. Following this training, the workers conducted courses at the district level for other home improvement workers.

The league has found the exchange of qualified United States and foreign personnel to be one of the best methods under their Public Law 480 operation for profoundly influencing the leaders of Far Eastern countries. A 5-man delegation of top Japanese Government officials and industry representatives paid a 5-week visit to the United States last summer under this project. It is hoped that they will see the United States as a stable source of supply of quality wheat at reasonable prices. Just this past May a team of four from the United States visited Japan and South Korea. Raphael Raymond, president of the league was one of the quarter. He has reported on this trip in the June issue of the Wheat Field, monthly bulletin of the Wheat League. I ask unanimous consent, Mr. President, to have Mr. Raymond's short, but excellent article included at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RAYMOND PRAISES JAPANESE WHEAT MARKETING PROJECTS

"The wheat market development projects in Japan are paying off for Oregon's growers," according to Raphael Raymond, Helix, president of the league. Raymond just returned from a wheat mission to Japan and South Korea.

In summarizing his impressions, Raymond said: "As a wheat rancher, I sincerely feel that we have hit upon an excellent way to promote the sale of our wheat products and expand our markets as well as building good will with our Japanese and Korean neighbors.

"Our present movement of wheat to oriental markets is the payoff for years of intensive Far Eastern market development work by the Oregon Wheat League and Commission, in cooperation with the United States Department of Agriculture and the Millers National Federation."

The Japanese have discovered, Raymond reported, that children are much larger since they have been getting wheat foods in a balanced meal under the school-lunch program. Children in rural areas formerly were larger than those of the same age in cities, but now that city children have the school-lunch program and more wheat foods instead of rice in their diets, the size situation has reversed.

A new wheat promotion project, financed with funds derived from foreign currency sales of United States wheat, has been approved to expand the school-lunch program in rural areas.

Raymond also reported outstanding results from other promotional projects the league is carrying out in Japan, including kitchen demonstration buses and bakers' schools.

Raymond said increasing industrial activity is giving Japan the dollars needed to buy wheat, which he believes the Japanese will import in large quantities for many years to come. Per capita rice consumption has declined 20 percent, with wheat replacing the rice. Japan can import wheat cheaper than it can be raised on the small hand-labor farms.

Excellent prospects for developing a market in Korea for bulgur wheat—a processed wheat being produced by a Seattle mill—were reported by Raymond. An initial shipment of 1,200 tons is scheduled next month, and a group of importers have formed an association to promote bulgur wheat in Korea.

Raymond said Korea needs our wheat badly, but because of lagging industrial development, lacks the means to purchase it.

The mission included three farmers—R. Raymond, representing Oregon; Glen L. Bayne, Ritzville, Wash., representing the

Washington Association Wheat Growers, and Bob Wittman, Lapwai, Idaho, representing the Idaho Wheat Growers Association. Fourth member was Earl Corey, Portland, regional director of the United States Department of Agriculture Commodity Stabilization Service, who was representing the export trade.

The trade mission is one of many projects being carried out cooperatively by the League and the United States Department of Agriculture to expand export sales of Pacific Northwest wheat. The expenses of the trip were paid from local currency funds which the league obtained under agreement from the Foreign Agricultural Service, United States Department of Agriculture.

Mr. NEUBERGER. There have been other visitors from Japan, such as Dr. Oiso, who came as a guest of the league last December. Dr. Oiso, it should be noted, is the head of the nutrition section of the Ministry of Health and Welfare in Japan. In the month that he was here, Dr. Oiso studied our public-health program, school-lunch program, institutional feeding, methods of baking and preparation of wheat foods, and the use of wheat foods in the home. While in this country, Dr. Oiso was a speaker at the 29th annual meeting of the Oregon Wheat Growers League in Portland, where he addressed the members on the subject of "Wheat Foods in the Japanese Diet." Dr. Oiso told his audience that 6,877,359 children in 8,923 Japanese schools have a daily school lunch containing bread made of 100 grams of wheat flour.

Mr. President, I have touched on the more extensive projects which were the substance of Mr. Baum's report to Senator HUMPHREY's subcommittee. There was one in which the league cooperated indirectly with FAO and WHO in a nutrition conference that affected people of south and east Asia. There were other distributions of literature. There was the introduction of bulgur. This is wheat which has been cooked, dried very hard, and cracked, and is produced by a mill on the west coast. Mrs. Neuberger finds it a wonderful substitute for wild rice. Twelve hundred tons of this bulgur was scheduled for shipment to Korea during July and August. Japanese industry groups utilizing wheat have begun to cooperate in their own promotional activities by preparing pamphlets and exhibiting together at the Tokyo Trade Fair.

Additional projects have been planned, and Mr. Baum told the subcommittee hearing that a major project will be the expansion of the school-lunch program into rural areas. It is hoped to reach approximately half a million more primary school children in this way. But, first, there will be a series of educational meetings in rural areas to create a desire among the parents to bring these benefits to their children.

It is most encouraging to learn that the Oregon Wheat League and the Millers' National Federation signed a Far East area project involving seven countries: Japan, Taiwan, Thailand, Burma, Indonesia, India, and Pakistan. Mr. Baum and a representative of the Foreign Agriculture Service will leave soon in mid-August to join Joe Spiruta in Japan, and will continue on to develop specific projects in all these countries. With the expansion of projects, the Washington Association of Wheat Growers is participating by subcontracting the Japanese school lunch project. One of the officials from the Washington Association was among the group who visited Japan this spring.

Mr. Baum, in concluding his remarks to the subcommittee, was very modest in his estimate of accomplishments. Just let me quote his final paragraph:

The wheat market development projects have not been underway long enough for a judgment to be made on their effectiveness in expanding markets. In Japan, however, the evidence is encouraging. Before the war, the average per capita consumption of rice was 330 pounds. Today, it has declined to 264 pounds. In contrast, consumption of wheat before the war was only 30 pounds, while at present, in urban areas, it has increased to over 90 pounds. Rice is still the primary food but consumption of wheat has increased 300 percent during the past 12 years.

In concluding this report, I want to emphasize the importance of the 480 program to our Nation's wheat growers. There are unlimited opportunities for market development projects with local currency in foreign countries. These funds make possible a unique cooperative effort between agriculture, industry, and government. The tremendous export movement during this past year has been no freak of the market. In countries of underconsumption, millions of people for the first time have had the money to buy wheat and other foods which they need. Public Law 480 has been referred to as a temporary program, but why should this be the case when it is a program that works? May I suggest to this committee that serious consideration be given to development of a permanent program incorporating the features of Public Law 480, which make it possible to sell United States agricultural commodities to people who need them.

It strikes me that, here, Dick Baum has offered a challenging and constructive suggestion. I am sure the subcommittee of the Senator from Minnesota [Mr. HUMPHREY] will investigate and evaluate its possibilities.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of these remarks, project tables submitted at the hearing, a news release issued by the Far East office of the Oregon Wheat Growers League, in Tokyo, and received in my office on July 12 and a special release from Seoul, Korea, which appeared in the Pendleton East Oregonian, Monday, July 29, 1957.

There being no objection, the releases and tables were ordered to be printed in the RECORD, as follows:

Market development projects of Oregon Wheat Growers League

Description of activity	Foreign currency in dollar equivalents (FAS)	United States dollars (League)	Foreign currency in dollar equivalents (local associations)	Total
Japan projects:				
1. Osaka Fair, Apr. 9, 1956, to Apr. 22, 1956 [1]	$5,000	$920		$5,920
2. Kitchen buses, May 18, 1956, to Nov. 30, 1957	145,622	13,000	$22,000	180,622
3. Educational materials, May 18, 1956, to May 18, 1957 [1]	11,447	600	3,255	15,302
4. Bakers school, May 25, 1956, to Sept. 30, 1957	108,210	8,000	36,380	152,590
5. Training extension agents, May 25, 1956, to May 25, 1957 [1]	61,539	5,000	10,420	76,959
6. United States wheat cup, July 25, 1956 [1]		152		152
7. Japanese mission to United States, Aug. 12, 1956, to Sept. 15, 1956 [1]	7,507	4,180		11,687
8. Southeast Asia Conference, Aug. 25, 1956, to Aug. 30, 1956 [1]	3,000	200	300	3,500
9. United States mission to Japan and South Korea, Apr. 27, 1957, to May 20, 1957 [1]	6,988	900		7,888
10. Advertising and promotion, Mar. 18, 1957, to Mar. 18, 1958	204,000	10,500	26,700	241,200
11. Administration expense, Mar. 18, 1957, to Mar. 18, 1959	37,163	2,500		39,663
12. School lunch, Mar. 18, 1957, to Mar. 18, 1959	118,604	7,000	22,273	147,877
13. United States flour brochure (10,000 copies), Apr. 1, 1957, to May 30, 1957 [1]	4,500	300		4,800
14. Bulgur promotion, Apr. 22–27, 1957 [1]	1,253	500	11,666	13,419
15. Tokyo Fair, May 5 to 19, 1957 [1]	5,500	600		6,100
Subtotals for Japanese projects	720,333	54,352	132,994	907,679
COOPERATIVE PROGRAM BETWEEN LEAGUE AND MILLERS' NATIONAL FEDERATION				
South Korea, Oct. 11, 1956, to Oct. 11, 1957	$25,000	$1,300		$26,300
Thailand, Oct. 11, 1956, to Oct. 11, 1957	10,000	700		10,700
Subtotal for Korea and Thailand	35,000	2,000		37,000
Far East area project: Japan, Taiwan, Thailand, Burma, Indonesia, India, and Pakistan, June 24, 1957, to June 24, 1959	[2] 100,000	5,500		105,500
PROJECTS BEING SUBCONTRACTED BY LEAGUE TO WASHINGTON ASSOCIATION OF WHEAT GROWERS				
Japan school lunch (included above).				
Koreans to United States, Apr. 30 to Dec. 31, 1957	$6,000	$2,500		$8,500
Bulgur in Korea (pending)	13,000	700	$1,338	15,038
Subtotal of projects subcontracted	19,000	3,200	1,338	23,538
Totals of all league projects	874,333	65,052	134,332	1,073,717

[1] Projects or activities which have been concluded.
[2] Approximately.

NEWS ABOUT WHEAT

TOKYO.—Unique evidence that wheat market development programs in Japan pay high dividends for Northwest wheat growers is shown in official Japanese Government reports listing noodlemakers here as a substantial, ever-growing market for American soft wheat.

Supporting this Japanese report, the United States Department of Agriculture's Foreign Service branch states that this Asian nation's annual consumption of domestic and imported wheat flour has risen to 2.1 million metric ton total, with 42 percent used by noodlemakers as against 58 percent divided up by bread, macaroni, and cracker makers. And of the 882,000 tons of noodles consumed each year, 30 percent are eaten in distinctively Japanese dishes—wet, and 70 percent in Chinese and Japanese style dishes—dry.

Japan's wet noodle industry uses some 140,000 tons of United States soft wheat flour each year, the dry noodle even more, at a 430,000-ton average annual rate.

Americans stationed in Japan join Japanese in a liking for what the latter call Udon—a popular wheat dish for all, regardless of age or sex. Udon retail shops are everywhere and the tasty noodles furnish quick lunch at train stops, curbside stalls, even from wooden carts that trundle down the busiest city thoroughfares, heralded by the distinctive creaking wheels.

Two considerations, apart from tradition, account for the vast popularity: the simple, delicious taste, and the low price. The Udon, soaked in soy sauce, retails for a mere 7 cents, and the more varied types, dished up with eggs, fried bean curd, ham hocks, strips of beef or chicken, and boiled fish paste range between 8 and 16 cents.

One or two bowls can even satisfy a hungry American.

A colorful, characteristically Japanese sight is the restaurant boy riding his bicycle, using one hand to steer through heavy traffic, the other balancing 3 to 5 tiers of trays and 30 to 40 bowls of the steaming wheat dish. This feat Americans have called "the eighth wonder of the world."

Under the wheat publicity market development projects, approved by the United States Department of Agriculture this March, and signed between the Oregon Wheat Growers League and the Japanese National Food Life Improvement Association, $200,000 equivalent yen obtained from surplus agricultural products under Public Law 480 has been earmarked to boost sales of wheat foods in Japan, and to expand American wheat markets here.

To the Wet Noodle Federation, major consumers of United States soft wheat, $40,000 equivalent yen has been given, and to this has been added $10,000 equivalent Japanese yen contributed by the more than 10,000 Udon retailers in this country.

The federation, assisted by Joseph J. Spiruta, Far East representative of the Oregon Wheat Growers League, will open a nationwide sales campaign of their products this fall.

"Such a campaign," said Mr. Spiruta, "will serve the mutual interests of the Japanese people, in nutritional improvement, and the American wheat growers, in market development and expansion."

[From the Pendleton (Oreg.) East Oregonian of July 29, 1957]

KOREAN WHEAT DELEGATION TO VISIT IN UNITED STATES

SEOUL.—The long-awaited exchange of wheat missions between Korea and the United States will be realized with the departure on August 2 of a six-man Korean wheat delegation. The group consists of four representatives of private industry and officials from the ROK Ministries of Agriculture and Health.

A four-man American wheat mission, comprising representatives of the Pacific Northwest States, visited Korea in May.

Announcement of the imminent departure of the Korean delegation was made at Seoul by Joseph J. Spiruta, Far East representative of the Oregon Association of Wheat Growers, who is currently in the ROK capitol making arrangements.

Mission members are Han Ki Myong, chief, grain administration bureau, ministry of agriculture and forestry; Jung Sun Sohn, chief, social affairs section, ministry of health and social welfare; Lee Chun Won, representing Korean Flour Mills Industrial Association; and Cho Gun Sil, representing Seoul Wheat Flour Merchants Guild and the Korean Society for the Promotion of Bulgour Wheat. Unofficial observers accompanying the mission are Chung E. Sik, president, Dayong Flour Mills Co., and Chun Hwa Soon, vice president, Chosun Flour Mills Co.

TWO WEEKS IN NORTHWEST

The Korean wheat team will spend approximately 2 weeks in the Pacific Northwest, primarily in Washington, but also in Idaho and Oregon, before flying on to Washington, D. C., for conferences with key officials of the Foreign Agricultural Service, USDA.

This first ROK wheat group ever to tour the United States will see wheatgrowing, harvesting, transportation, and shipping facilities at firsthand.

The primary objectives of the wheat mission exchange is to determine the possibilities for expanding usage of wheat products through market-development programs.

"But, in addition," Spiruta explained, "the group will be able to foster mutual understanding and develop personal across-the-desk contacts with wheat men in the Pacific Northwest and Government officials in Washington that will be invaluable in future trans-Pacific relationships."

LONG EFFORTS NOTED

The departure of this group climaxes long-standing efforts on the part of Dr. Henry Buckhardt, agricultural attaché, United States Embassy, Korea, and Spiruta.

Korea, though primarily a rice and coarse-grain-eating nation, ranks third—after India and Japan—in the quantity of wheat imported and, during 1957, will receive at least 270,000 metric tons of wheat brought in from the Pacific Northwest under provisions defined in section 402 and Public Law 480 programs.

Wheat imports this year will thus register a marked advance over imports from the Pacific Northwest in 1956, when a total of 169,556 metric tons arrived at Korean ports.

Imports have been broadened year after year, since the Korean war period and show every indication of continuing their advance.

Mr. NEUBERGER. I should like to add, with reference to the extension of Public Law 480, that besides the benefits which the law will provide—not only for our friendly nations overseas, but also for the wheatgrowers, whom I have mentioned—the extension is important to many growers of various orchard fruits.

In recent years some of those orchardists have experienced great difficulties because of climatic irregularities and because of very abnormal weather conditions which we have had in some parts of the United States, and because of premature and unseasonal freeze and cold snaps that have occurred in the Milton-Freewater district of Oregon. Furthermore, aggravating surpluses have clogged fruit markets.

By using some of the canned fruits under the provisions of S. 1314, which extends Public Law 480, we will not only achieve the improvements in foreign relations which were mentioned so informatively by the Senator from Kentucky [Mr. COOPER], but we shall also be assisting the orchardists whom I have mentioned, who have been suffering adverse economic and agricultural conditions.

I should like to thank the distinguished chairman of the Senate Committee on Agriculture and Forestry for the time and attention which he and his colleagues have devoted to extending this most enlightened and forward-looking farm program and international program. This undertaking, Mr. President, is not only important in the field of agriculture, but it is vital in the realm of our international diplomacy.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD five telegrams I have received from agricultural leaders in my State and elsewhere in the West urging support of Senate bill 1314, which acts to extend the very beneficial Public Law 480. They refer particularly to the potential favorable effect on orchard fruits.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF., *August 1, 1957.*

Hon. Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Domestic consumption of canned bartlett pears insufficient to utilize production of 1957 from California, Oregon, and Washington. Export markets essential to Pacific coast growers. Immediate passage of 480 bill will provide necessary stimulus to canning industry. Section 104 funds will aid all Pacific coast canning and fruit grower interests.

JOS. GREEN,
Chairman.
E. R. JOHNS,
Secretary-Manager, Program Committee Marketing Program for Canning Bartlett Pears.

SALEM, OREG., *August 1, 1957.*

Hon. Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Fruit growers in southern Oregon are keenly interested in passage of S. 1314 which amends Public Law 480 to stimulate foreign sales of surplus fruits resulting from extremely heavy crop plus carryover of 1956 canned pack. Please airmail copy of S. 1314 and any committee report now available. Thanks and regards.

ROBERT J. STEWARD,
Director, Oregon Department of Agriculture.

YAKIMA, WASH., *July 31, 1957.*

Hon. Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Passage of S. 1314 extremely important to Oregon and Washington fruit growers who need export outlets for proper marketing. Proposed British fruit package stalled until legislation passed. Time running out. Urge your every effort bringing conference report on S. 1314 onto floor.

ERNEST FALK,
Northwest Horticultural Council.

UKIAH, CALIF., *July 31, 1957.*

Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Peargrowers Oregon, Washington, California urgently request promp Senate action

480 bill being delayed by civil-rights legislation debate. Unsold pears now being dropped. Lack cannery demand, but approval 480 should encourage canner confidence and financing in current pear and fruit cocktail packs, since European pear crop disastrously reduced by freeze.

RUEL R. STICKENY,
President, Pacific States Canning Pear Marketing Association.

MEDFORD, OREG., *July 31, 1957.*

Hon. RICHARD NEUBERGER,
United States Senator from Oregon, Senate Building, Washington, D. C.:

S. 1314 amends Public Law 480 to provide certain foreign countries with fruit, chiefly from California, Oregon, and Washington. Due to the extremely heavy crop plus carryover of 1956 canned fruits in canneries on hand at this time, it is very important that S. 1314 be enacted at the earliest possible date. The first beneficiaries of the passage of this act will be California growers who are in peak of harvest at present time. Next will be Oregon growers and then Washington growers. Both Oregon and Washington growers will also benefit on their apple crops, and this aid is needed and will continue to be needed throughout the balance of this year. We respectfully urge your assistance and cooperation with others in the earliest possible passage of this bill.

Respectfully yours,
FRUIT GROWERS LEAGUE OF JACKSON COUNTY,
MEDFORD PEAR SHIPPERS ASSOCIATION,
FRED MORLAN,
Secretary of both Associations.

The PRESIDING OFFICER (Mr. CASE, of South Dakota, in the Chair). The question is on agreeing to the conference report.

Mr. STENNIS. Mr. President, I understand the Senator from Texas [Mr. YARBOROUGH] desires to address the Senate on the report.

Mr. YARBOROUGH. Mr. President, I do not desire to make a speech on the subject. I merely wish to commend the junior Senator from Oregon [Mr. NEUBERGER], the junior Senator from Mississippi [Mr. STENNIS], the Senator from Kentucky [Mr. COOPER], and other Senators for the fine remarks they have made, and to also commend the work of the conference committee as to this bill.

I particularly appreciate the statement in the report about the aid it is intended to give to surplus cotton, which has piled up. I think this is a step in the right direction, and that the extension of the law, with the amendments and corrections made, will be a forward step for American agriculture.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

RECIPROCAL CULTURAL EXCHANGE PROGRAM BETWEEN THE UNITED STATES AND THE NATIONS OF EASTERN EUROPE AND WAIVING OF FINGERPRINTING REQUIREMENTS—SUBMISSION OF CONCURRENT RESOLUTION AND INTRODUCTION OF BILL

Mr. JAVITS. Mr. President, I submit a concurrent resolution and introduce a bill for appropriate reference.

The concurrent resolution (S. Con. Res. 44) to express the sense of Congress relative to interchange on a reciprocal basis of persons with Russia and other eastern European countries under the United States Information and Educational Exchange Act, submitted by Mr. JAVITS, was received and referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Secretary of State, in administering the provisions of section 201 of the United States Information and Educational Exchange Act of 1948, as amended (62 Stat. 7, 22 U. S. C. 1446) should also interchange on a reciprocal basis persons described therein in substantial number with the Union of Soviet Socialist Republics or other eastern European countries under the following conditions:

(a) the United States will defray the living expenses not to exceed an amount found by the Secretary of State to be reasonable and proper for a period not to exceed 6 months with respect to any individual, a national of the Union of Soviet Socialist Republics or other eastern European countries (1) who is transported to the United States at the expense or under the auspices of the country of which such person is a national for the purpose of visiting the United States, and (2) who is a student, trainee, teacher, or professor or a leader in a field of specialized knowledge and skill of the country of which such person is a national; and

(b) the Union of Soviet Socialist Republics or other European Communist country, as the case may be, will defray for equal periods of time the living expenses of a reciprocal number of nationals of the United States (1) who are transported to the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, at the expense or under the auspices of the United States for the purpose of visiting the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, and (2) who are students, trainees, teachers, or professors or leaders in a field of specialized knowledge and skill in the United States.

SEC. 2. The Secretary of State is requested to permit nationals of the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, who enter the United States in pursuance of this concurrent resolution the same degree of freedom to travel and observe within the United States as that permitted by the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, to nationals of the United States who enter the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, to travel and observe within the Union of Soviet Socialist Republics or other eastern European countries, as the case may be, in pursuance of this resolution, and the Secretary of State is requested on the basis of reciprocity to waive the requirement of subsection (b), section 221 and section 262 of the Immigration and Nationality Act (66 Stat. 191; 8 U. S. C. 2101) relating to fingerprinting as authorized by the fourth sentence of section 201 (a) of the United States Information and Educational Exchange Act of 1948, as amended.

The bill (S. 2704) to amend section 201 (a) of the United States Information and Educational Exchange Act of 1948 so as to permit the waiver of fingerprinting requirements with respect to persons admitted into the United States pursuant to such act, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. JAVITS. Mr. President, these measures are designed to implement the reciprocal cultural exchange program between the United States and the nations of Eastern Europe, commonly called the Communist-bloc nations—a program which I believe can be a key factor in our struggle to achieve lasting peace.

The first is a concurrent resolution which provides for the interchange of persons, on a fully reciprocal basis, between the United States and the Communist countries of Europe under the provisions of the United States Information and Educational Exchange Act. The other measure is a bill amending that act so as to authorize the Secretary of State and the Attorney General to waive the fingerprinting requirement which has seriously impeded all efforts to negotiate such a reciprocal program. Identical proposed legislation will be submitted in the other body by Representative A. S. J. CARNAHAN of Missouri.

The proposed legislation which I am submitting or introducing deals primarily with student exchanges, and proposes that each of the affected governments shall pay the cost of transportation, but that the cost of maintenance shall be paid by the host country, and that the student exchanges shall be reciprocal to such an extent that the privileges of travel—that is to say, travel of an extensive character through the countries, and an opportunity to see various things—shall be based solely upon reciprocity between the two nations concerned.

Mr. President, as a part of my remarks, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Should We Fingerprint Foreign Visitors," which was published in the Washington Star of July 21, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star of July 21, 1957]

SHOULD WE FINGERPRINT FOREIGN VISITORS?

(By Earl H. Voss)

For some years now the United States has been taking a propaganda flogging from the Soviet Union over the law requiring visiting aliens to be fingerprinted.

In one of his more effective cocktail-party statements, Nikita Khrushchev, the Kremlin's first among unequals, asserted the Soviet Union could never overlook the American fingerprinting requirement. He told one of the few American idols in Russia, violinist Isaac Stern, "It is a requirement for criminals. It is degrading. It is a shame. None of our people will ever go to the United States if they have to be fingerprinted."

Last January, President Eisenhower told Congress, in a special immigration message:

"One of the obstacles to travel and a hindrance to the free exchange of ideas and commerce is the requirement in the present law that every alien who applies for a visa or who comes to the United States without a visa but remains for as much as 30 days be fingerprinted. In some foreign countries fingerprinting is regarded with disfavor. Lacking any significant contribution to our national safety and security, the law should be amended to eliminate the requirement of fingerprinting for aliens coming to the United States for temporary periods."

After this plea, the House Immigration Subcommittee voted to continue the fingerprinting proviso for nationals of Communist countries. There is some hope, however, that proadministration forces may be able to get a new batch of immigration amendments, including one dealing with fingerprinting, out onto the floor this session.

THE REASONS FOR IT

Why do some Congressmen want to continue fingerprinting?

First, Justice Department and State Department security officials concede that fingerprinting does provide one additional check on an individual, and thus somewhat reduces the chance that an alien dangerous to our security might be admitted to the country.

Second, the fingerprinting requirement reduces the influx of aliens by an undetermined amount. And there are those on Capitol Hill who think this is all to the good.

Third, Uncle Sam would lose a certain amount of face by giving in on the fingerprinting requirement. Such a move could be taken as an admission of a past error.

Why does the administration want to stop fingerprinting?

First, the national security would be little affected. President Eisenhower says fingerprinting make no significant contribution to our national safety and security. It is said that fingerprints of visiting aliens usually don't get to the Justice Department for checking until long after the visitors have toured the country and left.

A GAIN IN STATURE

Second, a discontinuance of fingerprinting would have propaganda value. Far from losing face, it is said, the United States would gain stature for admitting a mistake, and making a reasonable adjustment. The Soviet Union would be deprived of a valuable propaganda item.

Third, the Soviet subterfuge in using our fingerprint requirements as a device to regulate travel of its nationals to the United States would be unmasked. The State Department is convinced the Kremlin wants to keep a tight rein on the broadening of East-West contacts. Moscow would be forced to admit that fingerprinting is not the principal obstacle for travel of Soviet citizens in this country.

Fourth, the controls over Communists would not be entirely lifted. Other regulations still provide for a thorough check on visitors. Tourist visa applications require listing of past arrests, Communist Party membership, and other details which Moscow would have to ask Soviet citizens to falsify or to list frankly. Either way, State Department officials believe the Kremlin would lose and the West would win.

Fifth, several of the United States European and Asian allies would be pleased if the fingerprinting requirement were lifted. France, Norway, and Nationalist China in particular are known to resent it but go along because it is to their advantage to do so.

Sixth, a certain modest expansion in East-West contacts would result, and this would be an important gain for the United States. As one high American official puts it. "We can't lose from exchanges. We have the most to sell."

BOLSHOI AN EXAMPLE

The Soviet Ambassador in Washington, Georgi Zaroubin, has been pressing the State Department to admit the Bolshoi ballet to the United States for a nationwide tour.

The Soviet Union might benefit first, by a certain amount of peripheral intelligence material; second, by development of a new admiration for the Soviet arts among the American people.

On the other hand, the United States would stand to gain, too. One of its larger cultural groups could tour the Soviet Union in return with greater advantages, both intelligencewise and popularitywise, than Bolshoi could gain here. Why? The United States has more to learn about the Soviet Union than Moscow about this country; and the Soviet peoples know less about American artists than the American people know about Bolshoi.

COMPROMISE IS FRAMED

House and Senate Judiciary Committees have agreed on a compromise wording of a new fingerprinting provision which is believed to be noncontroversial.

It provides that the Attorney General and Secretary of State shall have discretionary power to waive the fingerprinting requirement for nonimmigrant visitors, where this would be in the best interests of the United States.

It also provides that the waiving should be done on a reciprocal basis. This is largely a protection against any future action abroad, since few if any foreign countries now require visiting aliens to be fingerprinted.

Representative WALTER of the House Judiciary Committee, co-author of the Immigration and Nationalization Act, has been the principal foe of changing the fingerprinting regulations. He insisted that the fingerprinting provision be retained, but now is understood to have approved the waiver amendments.

The fate of the fingerprinting provisions, however, is still tied to that of the entire package of amendments to the Immigration and Nationality Act.

TWO BILLS CONSIDERED

Representative WALTER has worked with Senator DIRKSEN, of Illinois, and Senator KENNEDY, of Massachusetts, on standardizing the amendments. About five-sixths of a bill introduced by Senator DIRKSEN and about three-fourths of one by Senator KENNEDY are identical with Mr. WALTER's version.

First action in Congress is to be taken in the Senate. Whether the Judiciary Committee will report out the Dirksen or Kennedy bill—or a third version—or none at all, is still to be decided.

The biggest bone of contention—which might slow up or stop the whole package of amendments—is the question of redistributing unused quotas for immigrants.

If the Senators cannot agree among themselves, or if the House and Senate cannot agree, the Immigration Act amendments might be put over for another year.

That would impede the East-West cultural exchange program on which the administration has pinned great hopes for easing tensions with the Soviet Union and bringing about a gradual transformation of the aggressive Soviet foreign policy.

Mr. JAVITS. Mr. President, the question of fingerprinting is apparently one of the major blocks to this type of exchange. At least, it has been so invoked, primarily by the Soviet Union. The President has already stated that this kind of activity need not be susceptible of the fingerprinting requirement. It seems to me that where there is negotiation—as there undoubtedly will be—to effectuate this exchange between governmental bodies that gives an added check, in terms of security, which makes fingerprinting unnecessary.

Let me also point out that the definition of the word "official," in connection with the authority of the State Department to exclude fingerprinting in the case of officials, has been very much stretched in order to afford such exchanges as we have been able to work out with countries behind the Iron Curtain, and there is no reason why the State Department should be put to this necessity.

Hence, as a supplement to the concurrent resolution which I submit, which will apply equally to all student exchanges, no matter from what sources, the State Department, on the basis of reciprocity, will have the capability of waiving the fingerprinting requirement.

In that respect, with regard to the extension of our reciprocal arrangements with countries behind the Iron Curtain and the impediment which represents the fingerprinting requirement, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article entitled "United States Is Expanding Its Cultural Ties With Soviet Bloc," which was published in the New York Times of July 21, 1957, as well as an editorial entitled "United States-Soviet Exchange," which was published in the New York Times on the following day.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Times of July 21, 1957]

UNITED STATES IS EXPANDING ITS CULTURAL TIES WITH SOVIET BLOC—FROM NOW UNTIL NOVEMBER EXCHANGE OF DELEGATIONS WILL BE MULTIPLIED—LAW TO BE STRETCHED—FINGERPRINTING TO BE AVOIDED BY ALLOWING MANY REDS TO ENTER AS "OFFICIALS"

(By Dana Adams Schmidt)

WASHINGTON, July 20.—The United States Government is working on an expanding program of cultural, technical, and scientific exchanges with the Soviet Union and other eastern European countries.

After coming to a stop in the wake of the Soviet Union's bloody suppression of Hungarian freedom last November, the program has been getting under way again slowly since April.

Groups of mass-feeding experts, public health officials, and experts in the use of peat have visited the Soviet Union. Steel industry executives will go there in August. Similar Soviet groups have visited or will visit this country.

From now until mid-November exchanges will multiply rapidly. Under consideration for that period are exchanges of 12 technical delegations with the Soviet Union, 4 with Poland, and 1 each with Rumania and Czechoslovakia.

INVITED TO MANY MEETINGS

Citizens of the Soviet Union and other Communist countries in Europe may be invited to 37 technical, scientific, and scholarly conferences while Americans may attend 7 conferences in Eastern Europe and the Soviet Union.

In addition 12 different types of visits of technical specialists, scholars, and artists from behind the Iron Curtain are being studied in exchange for similar visits by Americans to the Communist world.

Except for the Poles, and sometimes the Hungarians, all the visitors from behind the Iron Curtain refuse to be fingerprinted. Therefore, under the McCarran-Walter Immigration Act, they can be admitted only as officials.

The State Department is willing to stretch the law to certify individuals and small groups of technicians, scholars, and artists as officials. In a sense everyone in a Communist country is an official, it contends.

LAW MAY BE MODIFIED

But the East-West Exchange Office, directed by William S. B. Lacy, draws the line at ballet troupes and orchestras, which commonly number 100 members or more. Hence it has turned down a Soviet request

to exchange the Bolshoi Theater ballet for the Philadelphia Symphony.

The State Department is helping to finance a European tour of the Philadelphia orchestra but will not contribute to its movement behind the Iron Curtain.

The State Department hopes legislation will ease the fingerprinting requirement. The legislation has been introduced by Senator EVERETT DIRKSEN, Republican, of Illinois. As part of a general revision of the Immigration Act it would authorize the Secretary of State and the Attorney General to waive the fingerprinting requirement at their discretion.

Under one of the proposed exchanges, sponsored by Harvard University, several Soviet economists would attend the semiannual meeting of the National Economic Association. They would be classed as officials.

The State Department understands that the Rockefeller and Ford Foundations would be willing to sponsor a number of students from behind the Iron Curtain for periods of study in this country. As long as the fingerprinting requirement prevails, however, only Polish students who are willing to be fingerprinted, will come in for practical consideration. The State Department will not class students as "officials."

Emil Gilels, the Soviet pianist who toured this country last year, will probably be back again along with Leonid Kogan, violinist.

Among projects for return visits by Americans are the following: Visits to Russia by a commercial pharmaceutical team, and by a library official who will try to further private exchanges of publications; concert tours of Poland by Jan Kiepura, Jacques Abram and Isaac Stern, and a visit by David Hollander, former president of the Union of Orthodox Jewish Organizations of the United States, to the Jewish Community of Warsaw.

The next conferences in the United States to which Soviet or other Communist visitors have been invited are these: The International Prestressed Concrete meeting at San Francisco from July 29 to August 2; the conference on low temperature physics and chemistry at the University of Wisconsin beginning August 26, and the Twelfth General Assembly of the International Scientific Radio Union, at Boulder, Colo., in late August and early September.

Some other meetings that may be attended by Communists before mid-November are the Special Summer Conference on Digital Computers and Data Processors at the University of Michigan; the Gordon Conference on Nuclear Chemistry at Meriden, N. H., and the Assembly of the Lutheran World Federation, at Minneapolis.

Americans will probably attend the Origin of Life Symposium in Moscow from August 19 to 24; the International Symposium on Macromolecular Chemistry in Prague in September; meetings at later dates in Moscow dealing with the properties of steam, with Slavic languages, treatment of tuberculosis, and metallurgy, and a meeting on Continuous Culture Methods of Microorganisms, in Prague.

[From the New York Times of July 22, 1957]

UNITED STATES-SOVIET EXCHANGE

The subject of exchange of persons between the United States and the Soviet Union is very much in the news these days. At the level of visits by high-ranking persons, President Eisenhower reacted favorably at his last press conference to the notion of a meeting between Soviet Marshal Zhukov and his opposite number here, Defense Secretary Wilson. At the level of cultural and technical exchange, a revival is now planned of Soviet-American technical and cultural exchanges. A State Department announcement last week end indicated that the program of such exchanges, which largely ceased after the bloody Soviet repression in Hungary last fall, will expand once more to a modest scale the remainder of this year. At still a third level of activity, a small number of American young people are planning to attend this summer's so-called World Youth Festival in Moscow.

These different kinds of exchanges raise different kinds of problems. In commenting on the Zhukov-Wilson meeting idea, for example, the President warned against holding meetings which might arouse exaggerated expectations. Certainly the so-called Summit Conference in Geneva 2 years ago produced little despite the fact that it brought together the chief figures in the United States, the Soviet Union, Great Britain and France. A Zhukov-Wilson meeting, if it took place, could hardly hope to solve any key problems. Moreover, many Americans are keenly aware that Marshal Zhukov commands the Soviet Army which slaughtered Hungarian freedom fighters less than a year ago.

Cultural and technical exchanges fall into a different category. They have limited, realizable aims, and do not arouse unwarranted expectations. The cultures of the Soviet peoples should certainly be more available to us than they have been, and we can certainly gain in some areas from knowing more about Soviet technical development. Conversely, it is all to the good if Soviet citizens get a chance to see and hear more of our cultural achievements, and in many technical fields—as the Soviet Union now admits—the Soviet Union is anxious to learn from us. So long as there is genuine reciprocity, we may hope that such contacts will increase.

The most difficult problems arise in the area of arranging exchanges of ordinary people. We have only gains to anticipate from having large numbers of Americans see the Soviet Union and large numbers of Soviet citizens see our civilization at first hand. Unfortunately, our present legislation is not based on that premise. In particular, our legal requirement that foreign visitors be fingerprinted, except in the case of official visitors, has been cleverly used by the Soviet Government as a pretext for prohibiting the visits of Soviet tourists here. Since limited numbers of American tourists have been admitted into the Soviet Union, the comparison has permitted Soviet propaganda to make dishonest, but not entirely ineffective, charges of a United States "Iron Curtain." All this has been further complicated by the Soviet effort to use American travelers to the Soviet Union for propaganda purposes, as in the case of the World Youth Festival.

We need not have any exaggerated notions about the contributions of any presently foreseeable exchange of Soviet and American tourists to see that the present situation requires correction. Senator DIRKSEN has introduced a bill which would ease the fingerprinting requirement. That bill would seem the very minimum we need to do to disarm the Soviet propagandists.

But beyond that it would seem desirable that we adopt a much more imaginative approach to the subject. We must realize that the Soviet people have been raised on a diet of lies about our way of life. Anything which will contribute to permitting Soviet people to see that what they have been told about us is false should be encouraged. The United States is the world's mightiest piece of evidence as to what freedom and free enterprise can achieve, and it is in our interest that those living under socialism should get a chance to compare what our and their systems can accomplish for the great mass of the people.

Mr. JAVITS. Mr. President, a fully reciprocal cultural-exchange program could be one of the key factors in easing the tension between the free world and communism. Our foreign policy, and particularly the foreign aid aspects of it, are directed at resolving this conflict short of world war III. Cultural interchange is a key factor in the achievement of this goal.

It is my belief that the measure I have submitted can be an important step forward in that regard. I call attention to the fact that it excludes Communist China. That is done because I do not believe we should compromise our present nonrecognition policy toward Communist China.

The State Department has made clear the interest of the United States, however, in expanding cultural ties with the Soviet bloc in Europe. It is my hope that the proposed legislation which I have submitted will be an implementing means in helping to step up the program.

The bill I have introduced, Mr. President, will allow a substantial number of students, trainees, teachers, professors, or leaders in a field of specialized knowledge or skill, to be exchanged on a reciprocal basis with the Soviet Union and the Eastern European countries. As I have said before, the host country will defray the minimum living expenses, while the sponsoring country will cover the cost of transportation.

Mr. President, the latest report at this time on this program—as of May—shows that a total of 1,704 foreign students came to the United States for study, while 986 United States students went abroad for that purpose. In addition, 487 teachers from abroad were studying here, and 327 United States teachers were studying abroad; 549 research scholars and lecturers came here from abroad, as against 494 from the United States who went abroad; and 259 foreign specialists came here, and 163 of ours went abroad. Furthermore, it is reported that from these modest beginnings the program is being stepped up, with more applications for technical exchange groups under consideration, and with very considerable exchanges with relation to technical and scientific conferences.

Mr. President, it seems to me that we have very much to gain by means of the program; and the International Geophysical Year provides an excellent opportunity for marking this gain.

The fingerprinting requirement, I think, must give way; and certainly we have the reassurance of the President of the United States as to the lack of need for it as regards "any significant contribution to our national security." In short, it is apparent that the fingerprinting requirement ought to give way to the most desirable cultural exchanges of the sort I have proposed.

To sum up, Mr. President, we must remember that those who have been brought up behind the Iron Curtain have been nourished on many falsehoods and deceptions regarding our way of life, and that nothing can better attest to the mighty achievements of constitutional government and our free society than a firsthand opportunity to observe our system in action. It is time that we realized the great impact that a reciprocal, cultural-exchange program, especially as it relates to students from the countries of

Eastern Europe, would have in helping to bring the light of truth to bear on the many Soviet propaganda claims which are part of its aggressive foreign policy.

Mr. President, as to our own students who go abroad on a reciprocal-exchange basis, I think we have the right to have complete confidence that they will return to the United States even more fortified in their belief in our institutions, and, more than that, with a knowledge and comprehension of the Communist system indispensable to their usefulness to our country in the epic struggle between communism and freedom.

Mr. President, it has been said many times that the Iron Curtain is perhaps the greatest incitement to some kind of an armed struggle between the Soviet Union and the United States that exists. This curtain can be rung down, of course, by them; but it also can be rung down by us; and mainly it can be rung down by the demonstration that we are sincerely anxious to let their people see what we have, if they will, on a reciprocal basis—which is the only mature way of proceeding—and let ours see what they have. In that kind of an exchange I think we would really be calling the Soviet Union's bluff, if that is what it is; but let us hope and pray it is not, and that they will take advantage of the exchange.

I think it represents real confidence in ourselves to take such a position. I hope the State Department will go forward to implement what can be done toward ringing down the Iron Curtain, and using such efforts as it can from our side to do so, as we devoutly hope and pray the people of the Communist countries will do on their side. Even though their governments are totalitarian, there exists a public opinion favorable to doing that which is necessary to accomplish the great human objectives.

DEDICATION OF GILSONITE PLANT IN GRAND JUNCTION, COLO.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a very excellent speech by the Honorable Fred A. Seaton, Secretary of the Interior, delivered at Grand Junction, Colo., August 2, at the dedication of the new gilsonite plant.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF THE INTERIOR FRED A. SEATON AT THE DEDICATION OF GILSONITE PLANT IN GRAND JUNCTION, COLO., AUGUST 2, 1957

Surely, no one here today needs to be reminded of the vital importance of this Nation's mineral and fuel industries.

They are essential to our production of missiles and ships, trucks and plows, lathes and generators, factories and homes. An indispensable component of our defenses—and the free world's defenses—against aggression, these industries are a bulwark of the entire economy of the United States—an economy today turning out for peacetime living an unparalleled abundance of goods and services.

In 1956 our gross national product was $415 billion. On the basis of the first 6 months of 1957, the Department of Commerce just last week estimated it at an annual rate of $431 billion. In a few years we shall have a gross national product of $500 billion. The rate of expansion is incredible—certainly to those who a year ago were predicting another recession and ultimately a depression.

For the minerals industries the implication of this expansion is unmistakable: as our population continues to grow, and as our economy continues to soar upward, so will the demand become increasingly insistent for the products of American mines.

Clearly, the national interest requires that the United States keep its domestic mining industries healthy and vigorous.

Keeping them strong will require, again and again, the kind of cooperation which went into the development of gilsonite—cooperation involving private business organizations, research and educational institutions, and the Federal Government. It is a genuine pleasure to join with all of you in recognition of the achievements which this cooperation has produced: the use of high-pressure water jets to tear loose the gilsonite ore, a method which makes mining both safer and more productive; the transportation of the ore through the 72-mile pipeline; and the conversion of a nonpetroleum product—gilsonite—into high high-octane gasoline, fuel oil, and high-purity coke.

With every such development, American mining becomes stronger—stronger in its ability to meet the mounting demands of the future, stronger in its capacity to contribute to the productive power of the entire American economy.

The Federal Government has assisted, and will continue to assist, in this national strengthening process. Consider, for example, what it has helped accomplish right here on the Colorado Plateau.

In 1947, 179 mines on the plateau produced 70,000 tons of uranium ore. Last year, as a result of teamwork between private operators and the Atomic Energy Commission, about 1,000 mines produced 3 million tons—almost 45 times as much. In the near future even this production is expected to double. And I shall not venture to predict what the demand for uranium will be when, in 20 years or so, commercial nuclear electric power comes of age.

The maps of the Geological Survey of the United States Department of the Interior have helped prospectors everywhere, including those searching for uranium here on the plateau. The survey's mapping activities have also helped oil and gas drillers make the Four Corners area south of here one of the most active in the country.

The Interior Department's Bureau of Land Management has issued 120,000 oil and gas leases now in effect on Federal lands—lands which yield one-third of all the oil and gas produced in Colorado, Utah, Wyoming, and New Mexico.

For nearly half a century, the Federal Government has conducted research on oil shale—research aimed at the development of this gigantic latent mineral resource. Today private enterprise is investigating the feasibility of producing shale oil commercially. In time—much sooner, I believe, than some have predicted—a competitive shale oil industry will surely come into being in this country. When it does, we shall have a great new source of power, of employment, and of personal income, both here in Colorado and elsewhere in the Nation.

Where does the Federal Government stand today with respect to the minerals industries? One thing is perfectly clear to me: The Federal Government, in teamwork with private enterprise, does have a responsibility in helping to assure the continuing progress of American mining. And the two working together have had a remarkable record of success.

Today the American minerals industries face problems of increasing complexity. If the Federal Government is to continue the discharge of its proper degree of responsibility for the growth of the entire economy, it must lend a helping hand in finding the answers to these problems. On the record, the administration stands ready to do just that.

The need for minerals research is increasing; the administration believes the Federal Government must now intensify its support of such research.

The hazards of minerals exploration are becoming greater; the administration believes the Federal Government must now strengthen its work to help assure that these hazards do not impede the progress of the Nation.

The lead and zinc industry requires assistance if it is to avoid serious injury as the result of a high level of imports. Production of beryl, columbium-tantalum, and chromite—so essential to our national security—requires Federal encouragement if exploration and development are to be possible; and if, in the long run, these industries are to become competitive with those abroad. The administration believes the Federal Government must now take new steps to provide such assistance and encouragement.

Two months ago the administration submitted a long-range minerals program to the Congress. As we are gathered here today, hearings on this program are taking place. The administration is urging that the Congress take action, in this session, to enable the Department to put the plan into effect.

Minerals cannot be renewed. With every ton of ore we take from the earth, we reduce by that much an irreplaceable supply. Moreover, we seem almost to have reached the end of the road in our efforts to find new mineral sources by traditional prospecting methods. In recent years very few major outcrops have been found in the United States.

We must turn more and more to other means.

To find mineral resources not readily discoverable, we need, for one thing, more and better geological maps. Only 15 square miles out of every 100 in the continental United States are now adequately mapped; one part of the administration's program would permit the Geological Survey to speed up this vitally needed work.

Under the program the Survey would also be able, far more rapidly than heretofore, to develop new geochemical, geophysical, and geological techniques, and to learn more about applying them in the search for additional deposits, now hidden deep in the earth. With new instruments of science, we acquire new sight. We must develop such instruments if we are to locate the additional workable reserves which this country will need in the years ahead.

The program also intensifies research on economical extraction from low-grade ores. Suppose, for example, we knew how to use profitably our very large low-grade deposits of manganese. Then the necessary supplies of this mineral vital to the steel industry would, under any foreseeable conditions, be assured.

Of tremendous significance to our national welfare is that part of the program which will enable us to find uses for minerals newly discovered, as well as new uses for minerals now commonly known and relatively easy to obtain. From this kind of research in the past, scientists learned how to use zirconium in atomic reactors. One specific application is in the atomic-powered submarine, the *Nautilus*.

Another reason for commencing the administration's long-range minerals program

is to encourage private initiative and investment in exploration and development. As it becomes increasingly difficult and costly to find new ore deposits, the hazards of exploration increase.

The administration therefore believes it is in the national interest that the Federal Government now more extensively help private enterprise reduce these hazards. Roughly, here's how that portion of the program would work. An individual or organization interested in investigating a site and unable to obtain private financing for the full amount needed could get Federal financial assistance, provided the site looked promising to Government experts. If exploration should be successful and ore should be mined, the company would pay the Government back, with interest. If not, the two would share the loss.

Since 1951 a similar program, conducted by the Defense Minerals Exploration Administration, has been of particular interest to small-business men. Nearly 60 percent of the DMEA contracts have been for projects involving less than $25,000. Another 16 percent have been for projects between $25,000 and $50,000.

There are other compelling reasons for putting the Administration's long-range program into effect. It will enable the Government to provide special assistance to the lead and zinc industry, which is threatened by a high level of imports. It will also enable the Government to give special encouragement through production bonuses to producers of beryl, columbium-tantalum, and chromite. These minerals are in short supply here and abroad. They must be transported great distances. They stand some chance of becoming competitive with foreign industries. And they are essential to our national defense.

A sound long-range minerals program depends on considerations other than just a decision on whether ore should be taken from the earth or left there. Rather, it requires encouraging the maximum amount of scientific research on the discovery and use of minerals and keeping the Federal Government's policy in line with scientific findings. Science, an organized approach to discovery, of necessity brings changes. Who knows what minerals we shall discover within the next decade? Who knows how we shall be able to use them, or even use those which are old and familiar? Not so many years ago, one of the primary uses of uranium was to color pottery. There was once a time when no one knew it was possible to make plastics out of coal. We cannot write indelible prescriptions today to cure all the problems of tomorrow.

It is true also that a long-range minerals program cannot be expected to please everybody. In fact, I should be concerned if the extremists were satisfied. Some people have already said that the administration wants to go too far in strengthening domestic mining industries and in participating in development, research, and exploration work. Others have said that the program doesn't assist the industries enough.

It is my conviction that the administration's program would carry out proper responsibilities of the Federal Government without saddling the taxpayers with an unconscionable burden, making the minerals industries completely dependent on the Federal Government, and putting them, in consequence, under the heavy hand of Federal control. The miners have made it clear to me, through resolution after resolution in their congresses, that they do not want to depend upon outright subsidies to maintain themselves. They want their industries to be able to prosper and grow through free enterprise.

Certainly if the Government were to subsidize every mine and miner in the United States, nothing worse could befall the mining industries or the workers they employ. This conviction, however, did not lead the administration to say: "Well, let's stand by and let the minerals industries shift for themselves in the face of problems beyond their control." Such an attitude morally wrong, would jeopardize both our national security and our economic progress.

The administration's program is one of sensible moderation—the result of a careful weighing of the facts. Of course, solutions to such complex problems as those which the industries face cannot be arbitrary and inflexible. With a continuing review the program must be kept abreast of changing economic conditions and national needs. Just such a review is now taking place, for example, in the hearings being conducted before committees of the House and Senate.

We must get started now. The Government's program is a sound one. And it has an additional virtue; it can, I believe, be enacted into law. To advocates of a more expensive and extensive program, I can only say this: such a program would almost certainly fail before this Congress. As a result nothing would be done. Nothing would be accomplished. We must have results, not endless debates and finally failure.

It is time to abandon makeshift minerals legislation. I therefore earnestly hope that the Members of Congress, regardless of party, will rally behind the administration's program and put it on the statute books during the current session. I might say, incidentally, that what we need now is the kind of bipartisan cooperation that has gone into support of the Paonia project here in Colorado—the kind that ought to support every good measure for conserving our natural resources. The battle for the Paonia project has been led by the senior Senator from Colorado, GORDON ALLOTT, a Republican; the chief supporters in the House of Representatives have been Congressman WAYNE ASPINALL, a Democrat, and Congressman EDGAR CHENOWETH, a Republican.

With wise and prompt action by the Congress, and with continuing teamwork between the Federal Government and private industry in the years ahead, I feel certain that the future of the minerals industries in this country will be a bright one, marked by many more magnificent milestones such as the one we recognize here today.

CIVIL RIGHTS ACT OF 1957

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

ANNOUNCEMENT REGARDING EULOGIES FOR LATE SENATOR GEORGE—RECESS TO 11 A. M. TOMORROW

Mr. STENNIS. Mr. President, before the Senate stands in recess, out of respect to the late Senator George, I should like to inform the Senate that time will be available next Monday, August 12, at noon, for the purpose of paying tribute to our departed former colleague.

Mr. President, if no other Senator desires to address the Senate, as a further mark of respect to the memory of the deceased Senator, as provided in the resolution unanimously agreed to early today, I move that the Senate now stand in recess until 11 o'clock tomorrow.

The motion was unanimously agreed to; and (at 4 o'clock and 23 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, August 6, 1957, at 11 o'clock a. m., the recess being taken in accordance with Senate Resolution 176, as a further mark of respect to the memory of the late Walter F. George, formerly a Senator from the State of Georgia.

NOMINATIONS

Executive nominations received by the Senate August 5 (legislative day of July 8), 1957:

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals

Maj. Gen. Ira Kenneth Evans, O16215, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Preston Corderman, O16387, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Harry Purnell Storke, O16468, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Herbert Butler Powell, O16684, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Frank Sayles Bowen, Jr., O16434, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. James Francis Collins, O16819, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Conrad Stanton Babcock, O16104, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Henry Randolph Westphalinger, O16130, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Clyde Baker, Jr., O16371, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Keith Richard Barney, O16377, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Clerin Rodney Smith, O16388, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Ralph Morris Osborne, O16399, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Lewis Sherrill Griffing, O16413, Army of the United States (brigadier general U. S. Army).

Maj. Gen. Holger Nelson Toftoy, O16422, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Peirce Ennis, Jr., O16436, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. John Lawrence Ryan, Jr., O16451, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Edward Harold McDaniel, O16497, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. John Gibson Van Houten, O16669, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Max Sherred Johnson, O16745, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Frederic Joseph Brown, O16761, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Willis Small Matthews, O16932, Army of the United States (brigadier general, U. S. Army).

The following-named officers for temporary appointment in the Army of the

United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Lloyd Roosevelt Moses, O29362, United States Army.

Brig. Gen. Archibald William Stuart, O18130, United States Army.

To be brigadier general

Col. Thomas James Hartford, O18330, Medical Corps, United States Army.

Col. Austin Wortham Betts, O19373, Army of the United States (lieutenant colonel, U. S. Army).

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress:

To be major general

Brig. Gen. Robert Ernest Frankland, O277098, National Guard of the United States.

To be brigadier general

Col. Clarence Birnie Johnson, Jr., O268791, National Guard of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 5 (legislative day of July 8), 1957:

INTERNATIONAL MONETARY FUND

Frank A. Southard, Jr., of New York, to be United States Executive Director of the International Monetary Fund for a term of 2 years.

DIPLOMATIC AND FOREIGN SERVICE

H. Freeman Matthews, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Austria.

Walter C. Ploeser, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

DIPLOMATIC AND FOREIGN SERVICE

ROUTINE APPOINTMENTS

The following-named Foreign Service officers for promotion to the class of career minister:

Cecil Wayne Gray, of Tennessee.
Henry E. Stebbins, of Massachusetts.
Walter N. Walmsley, Jr., of Maryland.

To be consuls general of the United States of America

Avery F. Peterson, of Idaho.
H. Francis Cunningham, Jr., of Nebraska.
Leo G. Cyr, of Maine.
Albert B. Franklin, of Massachusetts.
William L. Wight, Jr., of Virginia.

Ernest J. Colantonio, of Massachusetts, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

To be Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America

Albert N. Abajian, of New York.

To be Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America

J. Fred Doyle, Jr., of Colorado.
Arthur A. Hartman, of New Jersey.
Roswell M. Parrott, of New York.

To be consuls of the United States of America

Henry E. Dumas, of California.
E. Paul Taylor, of California.

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Miss Helene A. Batjer, of Nevada.
Miss Joan M. Clark, of New York.
Theodore T. Franzen, of New Jersey.
Grenfall L. Penhollow, of Nebraska.
J. Leopoldo Romero, of California.
Alfred Schelp, of Missouri.
Michael Smolik, of Oregon.
John Quincy White, of Minnesota.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Madison M. Adams, Jr., of Florida.
Dexter Anderson, of New Jersey.
Stanley Baldinger, of Minnesota.
Edward C. Bittner, of Pennsylvania.
Richard C. Bialock, of Oklahoma.
James E. Briggs, of North Carolina.
Clive Chandler, of Washington.
Vincent J. Cherry, of New York.
Paul M. Cleveland, of Virginia.
William M. Clevenger, of New Jersey.
Raymond C. Collins, Jr., of New Jersey.
James F. Coovelis, of California.
Miss Winifred Dana, of California.
Miss Claudette Ann Dartsch, of Illinois.
Robert E. Doran, III, of New York.
Ernest A. Duff, of Virginia.
Charles E. Duffy, of Iowa.
James M. Ealum, of Oklahoma.
Miss Mary L. Eysenbach, of Connecticut.
Charles E. Finan, of Washington.
Richard H. Flanagan, of Massachusetts.
Jay R. Goldberg, of New York.
John M. Gregory, Jr., of New York.
Miss Ange Belle Hassinger, of Louisiana.
Richard S. Hawley, of Michigan.
John P. Heimann, of Illinois.
Sean M. Holly, of New York.
John W. Holmes, of Massachusetts.
Harold E. Horan, of Texas.
Alton L. Jenkens, of Massachusetts.
Warren Mark Johnson, of California.
Peter E. Juge, of Louisiana.
George L. Kinter, of New York.
Donald A. Kruse, of Pennsylvania.
Robert Kurlander, of New York.
John J. LaMazza, of New York.
Girard C. Lane, of New York.
George Q. Lumsden, Jr., of New Jersey.
John D. McAlpine, of Illinois.
Donald F. Meyers, of Wisconsin.
Herbert T. Mitchell, Jr., of North Carolina.
John H. Moore, of Tennessee.
Donald R. Morris, of New York.
Robert B. Oakley, of Louisiana.
Daniel A. O'Donohue, of Michigan.
Miss Martha Ann Orahood, of Ohio.
Sydney E. Paulson, of Michigan.
Gerald S. Pierce, of Oklahoma.
Dale M. Povenmire, of Ohio.
Henry E. Powell, Jr., of Virginia.
Miss Rozanne L. Ridgway, of Minnesota.
Edward G. Ruoff, of Virginia.
James Sartorius, of New Jersey.
Leslie Andrew Scott, of New York.
Robert S. Steven, Jr., of Rhode Island.
Louis A. Tananbaum, of Colorado.
Thomas A. Thoreson, of Illinois.
Ronald A. Webb, of California.
Kenneth D. Whitehead, of Utah.
Thomas F. Wilson, of Michigan.
Edward C. Woltman, Jr., of Indiana.
Michael Van Breda Yohn, of Connecticut.

To be consuls of the United States of America

Leland C. Altaffer, of Ohio.
William S. Harrington, of Florida.
Albert W. Hennig, of Massachusetts.
Daniel J. Herget, of Maryland.
Keith E. Adamson, of Kansas.
Robert T. Shaw, of Virginia.

To be vice consuls of the United States of America

Robert C. Pierson, Jr., of West Virginia.
Graham D. Renner, of the District of Columbia.

To be secretaries in the diplomatic service of the United States of America

Richard H. Dale, of the District of Columbia.
Grant A. Fielden, of Michigan.
Charles T. Katsainos, of Massachusetts.
Harry A. Rositzke, of Virginia.
Winston M. Scott, of Virginia.
Richard H. Webster, of Virginia.

DEPARTMENT OF THE TREASURY

Fred C. Scribner, Jr., of Maine, to be Under Secretary of the Treasury.

DEPARTMENT OF COMMERCE

Henry Kearns, of California, to be Assistant Secretary of Commerce.

FEDERAL COMMUNICATIONS COMMISSION

Frederick W. Ford, of West Virginia, to be a member, Federal Communications Commission for a term of 7 years from July 1, 1957.

SECURITIES AND EXCHANGE COMMISSION

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1958.

FEDERAL DEPOSIT INSURANCE CORPORATION

Erle Cocke, Sr., of Georgia, to be a member, Board of Directors, Federal Deposit Insurance Corporation, term of 6 years.

THE FEDERAL COAL MINE SAFETY BOARD OF REVIEW

Charles R. Ferguson, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review for the term expiring July 15, 1960.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William A. Carter (colonel, Corps of Engineers), to be a member and President of the Mississippi River Commission.

UNITED STATES DISTRICT JUDGES

Alfred A. Arraj, of Colorado, to be United State district judge for the district of Colorado.

Clifford O'Sullivan, of Michigan, to be United States district judge for the eastern district of Michigan.

Joseph C. Zavatt, of New York, to be United States district judge for the eastern district of New York.

UNITED STATES ATTORNEYS

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida for a term of 4 years.

Charles P. Moriarty, of Washington, to be United States attorney for the western district of Washington for a term of 4 years.

Charles W. Atkinson, of Arkansas, to be United States attorney for the western district of Arkansas for a term of 4 years.

Hugh K. Martin, of Ohio, to be United States attorney for the southern district of Ohio for a term of 4 years.

Frank D. McSherry, of Oklahoma, to be United States attorney for the eastern district of Oklahoma for a term of 4 years.

UNITED STATES MARSHALS

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York for a term of 4 years.

Dallas A. Gardner, Jr., of South Carolina, to be United States marshal for the eastern district of South Carolina for a term of 4 years.

Emerson Ferrell Ridgeway, of Florida, to be United States marshal for the northern district of Florida for a term of 4 years.

James Y. Victor, of Oklahoma, to be United States marshal for the northern district of Oklahoma for a term of 4 years.

Roy A. Harmon, of North Carolina, to be United States marshal for the western district of North Carolina for a term of 4 years.

COMPTROLLER OF CUSTOMS

Edwin A. Leland, Jr., of New Orleans, to be comptroller of customs with headquarters at New Orleans, La.

COLLECTORS OF CUSTOMS

Jeremiah A. McGimsey, of Nogales, Ariz., to be collector of customs for customs collection

district No. 26, with headquarters at Nogales, Ariz.

Carl F. White, of Santa Monica, Calif., to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif.

Chester R. MacPhee, of California, to be collector of customs for customs collection district No. 28, with headquarters at San Francisco, Calif.

Charles F. Brown, Jr., of Louisville, Ky., to be collector of customs for customs collection district No. 42, with headquarters at Louisville, Ky.

Theodore H. Lyons, of New Orleans, La., to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La.

Frank Abelman, of Marquette, Mich., to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

Cleta M. Smith, of St. Louis, Mo., to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo.

George F. Jameson, of Portland, Oreg., to be collector of customs for customs collection district No. 29, with headquarters at Portland, Oreg.

COAST AND GEODETIC SURVEY

Charles Pierce, of Washington, to be Assistant Director of the Coast and Geodetic Survey, with the rank of rear admiral for a term of 4 years.

THE PUBLIC HEALTH SERVICE

The following candidates for appointment or promotion in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

APPOINTMENTS

To be surgeon

Philippe V. Cardon, Jr.

To be senior assistant surgeons

George M. Berg
Philip S. Brachman
Charles A. Davis, Jr.
John P. Doyle
Jerome G. Green
Joseph P. Mardesich
Norbert J. Matzinger
Gene E. Meger
Bernard R. Shochet
James H. Tuthill
Adolph J. Urban
Daniel I. Yale

To be assistant surgeon

Robert W. Kirtley

To be senior assistant dental surgeons

Selvin Sonken
Charles W. Taylor, Jr.

To be assistant dental surgeons

Darwin F. Davis, Jr.
Christopher E. Kennemer
Charles P. Wollschlager

To be senior sanitary engineer

Jerome H. Svore

To be senior assistant sanitary engineer

Joseph P. Schock

To be assistant sanitary engineers

Richard S. Brief
Herbert R. Pahren

To be senior assistant pharmacist

Salvatore D. Gasdia

To be assistant pharmacists

Gene G. Knapp
M. Thomas Wagner, Jr.

To be senior scientist

Herbert F. Schoof

To be scientist

Joseph B. Margolin

To be sanitarians

Mary C. Gillis
William C. Miller, Jr.

To be assistant veterinarian

Paul Arnstein

To be nurse officer

Tirzah M. Morgan

To be senior assistant nurse officers

Verna B. Grimm
Helen Solomon
Lena F. Turner

To be therapist

Corinne Q. Way

PERMANENT PROMOTIONS

To be surgeon

Charles A. Monroe

To be senior assistant pharmacist

James E. Bleadingheiser

To be assistant pharmacists

William H. Briner
Robert E. McKay

To be senior therapist

Eleanor G. Loomis

IN THE ARMY

CHIEF, NATIONAL GUARD BUREAU

Maj. Gen. Edgar Carl Erickson, O171317, a Reserve commissioned officer of the Army, a member of the National Guard of the United States, to be chief of the National Guard Bureau, for a period of 4 years to date from June 23, 1957, under the provisions of title 10, United States Code, section 3015.

The following-named officers to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant generals

Lt. Gen. Stanley Raymond Mickelsen, O7042.

Lt. Gen. David Tyres Depue Ogden, O12051.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Frank McAdams Albrecht, O15131.

Brig. Gen. Ralph Joseph Butchers, O17242.

Brig. Gen. Sidney Clay Wooten, O18126.

To be brigadier generals

Col. Carl Willard Tempel, O18284, MC.
Col. John Barclay Sullivan, O18363.
Col. George Wilson Power, O18691.
Col. James Abner Richardson 3d, O29906.
Col. Charles Golding Dunn, O18996.
Col. Edward Spalding Ehlen, O19286.
Col. Edward Francis Penaat, O29598.
Col. James Dyce Alger, O19848.
Col. Autrey Joseph Maroun, O19865.
Col. Clifton Ferdinand von Kann, O21371.
Col. Frederick Grant Waite, O30358.

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress:

To be major generals

Brig. Gen. Ansel Blakely Godfrey, O163566.

Brig. Gen. Charles William O'Bryant, O328896.

Brig. Gen. James Earl Rudder, O294916.

To be brigadier generals

Col. Harry Moore Arthur, O148758.
Col. Max Krause Bitts, O342244.
Maj. William Edwards Blake, O295362.
Col. Edwin Rufus Bodey, O271852.
Col. Joseph Marvin Bosworth, Jr., O330885.
Col. Thomas Patrick Fox, O230823.
Lt. Col. Jacob Hawley Herzog, O293320.
Col. William John Lange, O1175482.
Col. Sam Lyman Marshall, O102920.
Col. Frank McCarthy, O304373.
Col. John Worley McConnell, O1048490.
Col. Clarence Harris Pease, O355161.
Col. Frank Richards, O329568.
Col. Frank Price Williams, O309461.

The officer named herein for appointment as Reserve commissioned officer of the Army under the provisions of title 10, United States Code, section 593 (a):

To be major general

Maj. Gen. Francis William Billado, O311562.

ADDITIONAL CONFIRMATIONS IN THE ARMY

The nominations of John S. Dwinell and 204 other officers for reappointment, transfer, or appointment in the Regular Army, which were today confirmed, were received by the Senate on June 27, 1957, and may be found in the Senate proceedings of the CONGRESSIONAL RECORD, under the caption "Nominations," beginning with the name of John S. Dwinell, which appears on page 10497.

The nominations of Sterling H. Abernathy and, 2,440 other officers for promotion in the Regular Army of the United States, which were confirmed today, were received by the Senate on July 1, 1957, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Sterling H. Abernathy, which is shown on page 10681.

The nominations of Rowland Chrisler Adams and 1,001 other officers for appointment in the Army, which were today confirmed, were received by the Senate on July 3, 1957, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that day.

The nominations of Aubrey L. Bradford and 85 other officers for appointment or reappointment in the Regular Army, which were confirmed today, were received by the Senate on July 16, 1957, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations."

IN THE AIR FORCE

The following officers to be placed on the retired list in the grade indicated under the provisions of section 89621, title 10, United States Code:

To be lieutenant generals

Lt. Gen. Charles Bertoddy Stone III, 66A.
Lt. Gen. Patrick Weston Timberlake, 83A.
Lt. Gen. Earl Walter Barnes, 67A.

The following-named officers for temporary appointment in the United States Air Force under the provisions of chapter 839, title 10, United States Code:

To be major generals

Brig. Gen. Edward Willis Suarez, 632A.
Brig. Gen. Oliver Kunze Niess, 19022A.
Brig. Gen. Daniel Webster Jenkins, 528A.
Brig. Gen. Daniel Stone Campbell, 615A.
Brig. Gen. John Williams Persons, 418A.
Brig. Gen. Thomas Ludwell Bryan, Jr., 452A.
Brig. Gen. John Jackson O'Hara, 463A.
Brig. Gen. Pearl Harvey Robey, 473A.
Brig. Gen. Norman Delbert Sillin, 501A.
Brig. Gen. John Hiett Ives, 544A.
Brig. Gen. Alfred Frederick Kalberer, 607A.
Brig. Gen. Thomas Connell Darcy, 629A.
Brig. Gen. Eugene Porter Mussett, 632A.
Brig. Gen. Romulus Wright Puryear, 637A.
Brig. Gen. Harold Cooper Donnelly, 647A.
Brig. Gen. Donald Robert Hutchinson, 664A.
Brig. Gen. Charles Wesley Schott, 949A.
Brig. Gen. Benjamin Jepson Webster, 974A.
Brig. Gen. William Taylor Thurman, 1034A.
Brig. Gen. James Clifford Jensen, 1042A.
Brig. Gen. Joseph D. Croft Caldara, 1048A.
Brig. Gen. William Monte Canterbury, 1071A.
Brig. Gen. Arno Herman Luehman, 1080A.
Brig. Gen. Stanley Joseph Donovan, 1089A.
Brig. Gen. Turner Clifton Rogers, 1232A.
Brig. Gen. Augustus Maine Minton, 1301A.
Brig. Gen. Bruce Keener Holloway, 1336A.
Brig. Gen. Maurice Arthur Preston, 1337A.
Brig. Gen. John Spencer Hardy, 1502A.

Brig. Gen. Thomas Alan Bennett, 1513A.
Brig. Gen. David Wade 1582A.

To be brigadier generals

Col. George Eldridge Keeler, Jr., 466A.
Col. Travis Monroe Hetherington, 646A.
Col. Theodore Gourdin Kershaw, AO239295.
Col. Frank Pickering Corbin, Jr. 929A.
Col. Paul Lawrence Barton, 1081A.
Col. John Knox Cullen, 19068A.
Col. Dwight Oliver Monteith, 1205A.
Col. Conrad Francis Necrason, 1246A.
Col. Bernard M. Wootton, 1253A.
Col. Homer Astley Boushey, 1269A.
Col. Sheldon Seymour Brownton, 19083A.
Col. Jack Norman Donohew, 1319A.
Col. Curtis Raymond Low, 1349A.
Col. Willard Wright Smith, 1374A.
Col. Robert Joseph Friedman, 1397A.
Col. Robert Allen Breitweiser, 1406A.
Col. William Kenneth Skaer, 1412A.
Col. Prescott Miner Spicer, 1413A.
Col. Virgil Lee Zoller, 1440A.
Col. Henry Garfield Thorne, Jr., 1514A.
Col. William Brewer Keese, 1531A.
Col. Frederick John Sutterlin, 1585A.
Col. Delmar Edmond Wilson, 1587A.
Col. Glen Robbins Birchard, 1623A.
Col. John Wilson Carpenter 3d, 1647A.
Col. John Brereton Bestic, 1682A.
Col. Jack Gordon Merrell, 1687A.
Col. George Benjamin Greene, Jr., 1736A.
Col. James Crawford McGehee, 1746A.
Col. Don Coupland, 1766A.
Col. Edgar Wade Hampton, 1805A.
Col. Philip Henry Greasley, 1821A.
Col. John Eugene Dougherty, 1852A.
Col. Charles Rankin Bond, Jr., 1937A.
Col. Charles Marion Eisenhart, 1957A.
Col. Austin James Russell, 1980A.
Col. Robert Hamilton Warren, 1987A.
Col. Francis Clare Gideon, 1993A.
Col. Theodore Ross Milton, 2026A.

IN THE NAVY

Adm. Arthur W. Radford, United States Navy, for appointment to the grade of admiral on the retired list of the Navy.

The nominations of David L. Armstrong and 2,014 other officers for appointment in the Navy, which were confirmed this day, were received by the Senate on July 10, 1957, and a complete list thereof may be found in the Senate procedings of the CONGRESSIONAL RECORD for that day, under the caption "Nominations" beginning with the name of David L. Armstrong, appearing on page 11239 and ending with the name of Richard T. Upton which is shown on page 11243.

POSTMASTERS

ALABAMA

Jesse B. McCollum, Dawson.
Lewis L. Buttram, Goodwater.
Jonas Jackson Nance, Mount Hope.
Fred Clardy, Roanoke.

ALASKA

William Newman, Holy Cross.

ARIZONA

Ramona V. McPherson, Payson.

ARKANSAS

Alma K. May, Booneville.
Ralph Wayland Ruff, Center Ridge.
Hubert E. Holland, Dardanelle.
Alvin M. Bridwell, Dumas.
Sam D. Lieblong, Greenbrier.
Alex J. Howard, Morrilton.
Robert L. Nailling, Osceola.
Elouise H. Craig, Proctor.

CALIFORNIA

George A. Floyd, Acampo.
Kathryn Jean Long, Alcatraz.
Marshall N. McFie, Anaheim.
Calvin E. Tremper, Clearlake Highlands.
Other M. Parker, Cuyama.
Evelyn L. Hash, Fields Landing.
Frances V. Viele, Gilman Hot Springs.
Manuel George Sousa, Half Moon Bay.
Arthur R. Olson, Hilmar.
Roy A. Hubbell, Hollister.
Delpha P. Furgeson, Indio.
Madeline B. Hord, Johannesburg.
George R. Jahnel, Lodi.
Lester T. Lane, Lynwood.
Mary Frank Donau, Manzanita Lake.
George S. Bringle, McCloud.
John R. Hann, Merced.
Robert A. Best, Olive View.
Wilma F. Hayes, Pinedale.
Clarence W. Needham, Plymouth.
Raymond E. Caudill, Port Chicago.
James T. Walter, St. Helena.
Kennieth B. Johnson, Salinas.
Loren Burns Kirby, San Fernando.
Marguerite M. Brown, San Luis Rey.
Naomi G. Ledbetter, Sloughhouse.
Jesse J. Parks, Jr., Tustin.

COLORADO

Beulah B. Mays, Briggsdale.
Francis M. Connett, Littleton.
Lloyd E. Simpson, Paonia.
Bruce N. Cramb, Wiley.

CONNECTICUT

Walter A. Rollinson, Dayville.
Arthur L. Pepin, Jewett City.
Alden E. Bailey, Manchester.
Jeanne H. Wright, New Preston.
Willard C. Huntley, Old Lyme.

DELAWARE

Edward G. P. Jones, Jr., Delmar.
Elwood H. Webb, Ellendale.
August Frederick Walz, Wilmington.

FLORIDA

Grace M. Davis, Alturas.
Orlue E. Hendrickson, Crawfordville.
William J. Durrance, Fort Meade.
George E. Jordan, Indiantown.

GEORGIA

Burl F. Sanders, Atlanta.
Ava L. O'Dillon, Bishop.
Opal McKoon, Luthersville.
Doris B. Lawrence, Molena.
George M. Freedman, Quitman.
William A. Garner, Ray City.
Virginia G. Callaway, Stockbridge.
Robert Green Holley, Stone Mountain.

IDAHO

Joseph A. Gillett, Declo.

ILLINOIS

Cecil L. Emery, Amboy.
Wesley Harmon Myers, Assumption.
Lawrence H. Carr, Jr., Blue Mound.
George L. Wall, Bridgeport.
Kenneth B. Westray, Clinton.
Francis J. Aydt, Dahlgren.
John E. Parker, Deer Creek.
Kenneth W. Tyner, Elkville.
Milton H. Lacey, Farma.
Thomas M. Balk, Franklin Park.
Herbert O. E. Baltz, Freeburg.
Francis D. Ballerine, Granville.
Arthur W. Latham, Hebron.
Donald J. Fenn, Lena.
Chestley E. Miller, Ludlow.
Charles La Verne Keith, Mendon.
Marvin C. Tervelt, Morrison.
Joseph Knuth, Mount Prospect.
Merlyn H. Reatherford, Moweaqua.
Warren S. Plant, National Stock Yards.
Gilbert H. Abraham, Orangeville.
Elmer P. Hatter, Ottawa.
Charles E. Turvey, Pana.
Howard H. Mumm, Philo.
Homer F. Mounger, Pocahontas.
Clarence R. Bonnell, Sidney.
James Ruzicka, Warrenville.
Glenn V. Mitchell, Waverly.
Horace Roscoe Bradbury, West Point.
Harry L. Crawford, Yorkville.

INDIANA

Harlan C. Pedlow, Bridgeport.
Raymond P. Steele, Connersville.
Rex F. Harris, Farmersburg.
Henry E. Rippe, Hobart.
Paul R. Wadsworth, Rising Sun.
Victor J. Hubers, St. Meinrad.
Alfred L. Howe, Star City.
Ernest E. Bushong, Syracuse.
Gerald J. McCarty, Union Mills.
S. Maurice Souder, Woodburn.
Inez T. Kasler, Zanesville.

IOWA

Frank W. Knoll, Adel.
Allen Frank Bideaux, Argyle.
Kenneth L. Shaw, Camanche.
Melvin C. Boose, Elk Horn.
Henry Junior Stoffer, Sheffield.
Richard F. Messier, Rockford.

KANSAS

Virgil B. Umbarger, Ada.
Herbert G. Ham, Atchison.
Rosalind Metzler, Carbondale.
Glenn O. Tarrant, El Dorado.
Hubert C. Holloway, Greensburg.
Ernest R. Dicks, Hutchinson.
Edgar L. Brinkworth, Mankato.
Billy C. Kaltenbach, Mullinville.
Edgar L. Wiltse, Paola.
Virgil L. Smith, Pawnee Rock.
Glenn M. Carter, St. Paul.
Eugene A. Hoppe, Syracuse.
Burl D. Prussing, Shawnee.
Gailen R. Braden, Wakefield.

KENTUCKY

Robert S. Smallwood, Beattyville.
Mattie L. Riley, Benton.
Buron R. Elrod, Bowling Green.
Mary E. Wilson, Bypro.
Richard D. Spaulding, Clay City.
Bethel G. Hall, Clearfield.
Robert E. Latta, Clinton.
Earl M. Spangler, Highsplint.
William R. Parker, Hodgenville.
Charles E. Sullivan, Horse Cave.
William H. Cecil, Lexington.
Bernice M. Combs, Lothair.
Charles F. Williams, Middletown.
Sister Mary Kevin Egan, Nazareth.
Nathan I. Clements, Union.

LOUISIANA

Marie T. Taliancich, Triumph.

MAINE

Emery S. Dickey, Brooks.
Marvel W. Harshaw, Brownville Junction.
Gordon Gould, Hinckley.
Donald H. Miller, Kennebunkport.

MARYLAND

Luther V. Winstead, Clinton.
Richard E. Howard, Funkstown.
John R. Byers, Westminster.

MASSACHUSETTS

Susan G. Rowe, Bolton.
Russell G. McPhee, East Orleans.
Marion J. Wilson, Hathorne.
Joseph L. Homans, Hubbardston.
Cyrus I. Dennis, Leominster.
Arthur H. Despard, Millbury.
Carroll A. Strysko, Montague.
Eldon H. Johnson, Southwick.

MICHIGAN

Frank B. Sheridan, Allendale.
Joseph B. Woodrow, Jr., Augusta.
Harold R. Snater, Breckenridge.
Marie Norris, Casnovia.
Glenn E. Eddy, Cheboygan.
Frederick M. Davenport, Constantine.
Lyle H. Van Etten, Jasper.
Walter L. Parrott, Jr., Kingston.
Denver D. Young, Lambertville.
Justin A. Mitchell, Leonidas.
Clyle Y. Ryan, Marne.
Myron L. Newman, Martin.
Donald M. Plain, Mayville.
George P. Liebeck, Munith.
Phyllis E. Simpson, North Street.
Daniel C. Stanchina, Norway.
Guy R. Van Nortwick, Pentwater.
Jean F. Richards, Perrinton.
Clark E. Nogle, Plainwell.
Benedict A. Hunsanger, Ruth.
Ivan L. Groner, Sand Lake.

Barbara J. Miller, Sanford.
Kenneth W. Walker, Shepherd.
Clifton J. Demerest, West Branch.
Milton E. Fairbank, Wheeler.
Clarence A. Broemer, White Pine.

MINNESOTA

Emmet H. Beckman, Bird Island.
Lawrence D. Murphy, Circle Pines.
James M. Hugues, Collegeville.
Arthur L. Erickson, Hastings.
Leonard W. Endreson, Montrose.
Chester L. LesSard, Rush City.
Lee M. Fagerness, Rushmore.
Jay F. Aykens, Steen.
Alexander E. Rathmanner, Winsted.

MISSISSIPPI

Philip M. Catchings, Jackson.
Abram C. Abraham, Leland.

MISSOURI

John C. Ferguson, Willow Springs.
William H. Thomason, Mountain View.

MONTANA

Howard A. Robinson, Hamilton.
Elizabeth L. Calvert, Lima.

NEBRASKA

Paul O. Davidson, Alexandria.
Donald E. Adams, Cody.
Stanley J. Smith, Daykin.
Dean J. Rocke, Hallam.
Norman W. Steinacher, Milligan.
Helen E. Sirrs, Palmyra.
James J. Fuchs, Platte Center.
LeRoy T. Sumner, Rogers.

NEW HAMPSHIRE

George J. Martin, Andover.
Herbert R. Seldon, Gossville.
Mary E. Nichols, Lincoln.
Helen C. Sleeper, North Haverhill.
Henry F. Stapleton, Pittsfield.
Delwyn E. Philbrick, Rye Beach.

NEW JERSEY

Lynwood A. Harby, Bloomingdale.
Caroline K. Sheets, Bloomsbury.
William E. Stevens, Broadway.
William Schmidt, Jr., Cologne.
Robert Crater DeRemer, Glen Gardner.
Charles R. Allaire, Jr., Middletown.
John V. Zoppel, North Bergen.
Claude M. Larned, Sr., Pleasantville.
John D. Roosa, Ramsey.
Wesley H. Beekman, River Edge.
Ralph B. Speier, Seaside Heights.
Joseph E. Mott, Tuckerton.

NEW MEXICO

Louise V. Maestas, Fairview.
Margaret U. Lucero, Los Alamos.
Arthur J. Meiering, Roswell.

NEW YORK

Henry A. Goetz, Albany.
Harry F. Sackinger, Bolivar.
Fred Hoffman, Jr., Brockport.
Merlin G. Ham, Claverack.
Walter A. Labuda, Climax.
Laverne Robert Staebell, East Pembroke.
Rex L. Steele, Elizaville.
Raymond W. Delaney, Endicott.
Sherman G. Peterson, Falconer.
Edward J. Birmingham, Floral Park.
Kenneth A. Muehleck, Fort Plain.
Alice A. Holvik, Great River.
Dorris S. Beaney, Hamlin.
John A. Baugh, Jr., Middle Grove.
Charles P. Stephenson, Morristown.
Elsie C. Nolin, Ocean Beach.
Daniel V. Walker, Oyster Bay.
Chester H. Fullagar, Penn Yan.
Genevieve Watkins, Richford.
John J. Beattie, Salem.
Rudolph A. Sangiacomo, Savannah.
Helen S. Record, Sherburne.
Richard C. Dedell, Sherrill.
Francis M. Landau, Shirley.
Robert W. Collins, Spring Brook.
Willard C. Schmitt, Westbury.

NORTH CAROLINA

Nelwyn F. Carawan, Bridgeton.
Charles Michael Crawford, Erwin.
Dexter G. Oakley, Lawsonville.
John B. McLaughlin, Newell.

NORTH DAKOTA

Edward A. Herrick, Abercrombie.
Otto W. Chapek, Anamoose.
Randolph O. Oppegard, Dazey.
Norman J. Dahl, Hillsboro.
Terry Lawler, Linton.
Gerald D. Davis, Mooreton.
Floyd I. Ferguson, Oakes.
Melvin R. Iverson, Wildrose.

OHIO

Lawrence R. Hazen, Ashland.
Robert J. Reese, Belpre.
Ralph T. Stearns, Bluffton.
Thomas Royal Gatton, Butler.
Francis T. Kristenak, Clay Center.
Howard M. Nicol, Cuyahoga Falls.
Joseph D. Hallock, Diamond.
Herman L. Kruse, Edgerton.
Nick C. Marrale, Leroy.
Elvah Davis, Lockwood.
Nora Bell A. Might, McCutchenville.
Fred A. Stanley, Newton Falls.
Alice R. Smith, Parkman.
Gene C. Alexander, Rarden.
Victor Ferrari, Sr., Smithfield.
Oliver T. Van Sickle, Somerset.
Hugh F. McPhee, Struthers.
Walter M. Guthrie, Stryker.
Ila M. Porter, Vincent.
Robert L. Meese, Wilmot.
Adam J. Reay, Windham.

OKLAHOMA

Lulu M. Klein, Butler.
Edwin Coyle, Marlow.
Hope M. Conrad, Reydon.

OREGON

Clara T. Lane, Wheeler.

PENNSYLVANIA

Georgia A. Oplinger, Adamsburg.
Rita C. Steigerwalt, Andreas.
Henry J. Fabry, Carrolltown.
John J. Lynch, Cheltenham.
Henry Ralph Graber, Collegeville.
Francis P. Golden, Coudersport.
Wilmer E. Hinish, Curryville.
Frank L. Bender, Enola.
William C. Wademan, Factoryville.
George A. Wildauer, Falls Creek.
Thomas P. Janosky, Grassflat.
Edith M. Isakson, Greenock.
Howard R. Byham, Guys Mills.
Gregg L. Johnson, Lewisburg.
Elba I. Coder, Mapleton Depot.
Frank K. Seaman, Sr., Marietta.
Louis K. Weintz, Matamoras.
Edward M. Crawford, Milton.
Hugh R. Saxton, Nicholson.
Ernest T. Thomas, Red Hill.
Walter J. Gardner, Rockwood.
Earl C. Glotfelty, Salisbury.
Wilbur Ray Kline, Shadygrove.
Thaddeus G. Sharer, Saylorsburg.
Elmer C. Bentz, Scottdale.
Virjean C. Stuckey, Summerdale.
Marcellus J. Heppe, Wayne.
John G. Butler, Williamsburg.

SOUTH DAKOTA

Gilbert M. Ruden, Hurley.
Bernard M. Montagne, Jefferson.
Winfield T. Wilt, Mitchell.
Robert G. Chase, Parker.

TENNESSEE

Charles Edwin Graves, Knoxville.
George L. Bowman, Lenoir City.
Willie H. Cook, Liberty.
Lewis C. Drinnon, Morristown.
Luther L. Martin, Silver Point.

TEXAS

Aubrey A. Dunwody, Anson.
Ethel T. Bledsoe, Archer City.
Elmer E. Cryer, Bartlett.
Mauricio Gonzalez, Benavides.
Lottie Annie Parson, Blanket.
Thomas H. Todd, Canton.
John E. Clanton, Channing.
Charles Edgar Rittersbacher, Corsicana.
Joseph A. Campbell, Covington.
Harry E. Conner, Dalhart.
Hargrove Smith, Eagle Lake.
Justus J. Urbish, East Bernard.
Marene J. Johnson, Eastland.
Willie C. Anthis, El Campo.
Buster Fleming, Emory.
Ernest A. Mullen, Florence.
Richard Thomas Cowan, Fort Worth.
Argus D. Smith, Godley.
Jewel A. Atkinson, Goldsmith.
Tom Y. Stephens, Grapevine.
Eugene S. Wade, Groom.
Thelma O. Houtchens, Harrold.
Thomas D. Sexton, Hawkins.
Pearl L. Stone, Hunt.
Mixon C. Stamper, Jacksboro.
Billy P. Berry, Kerens.
Ruey F. McCarty, Lawn.
Clinton E. Spragins, Martindale.
Annie E. Kain, Matagorda.
Hugh Spinks, Menard.
Schuyler C. Moore, Mineral Wells.
Norine C. Hazlewood, Newark.
Harry L. Muenzler, New Ulm.
Herbert W. Havemann, Orange Grove.
Elton J. Mueller, Richmond.
Raymond T. Hargrove, Rockwall.
Clarence W. Wagner, Round Top.
Joseph C. Hammond, Terrell.
Gladys E. Moore, Westbrook.

UTAH

Clark E. Blake, St. George.

VERMONT

Clifford L. Greene, Pawlet.
Glenn T. Foster, Weston.

VIRGINIA

Sarah C. Lowry, Beaverdam.
Arthur B. Chard, Fieldale.
Kenton H. McCoy, Lexington.
Owen K. Blackburne, Lynchburg.
Louis A. McVey, Meadowview.
Warren P. Harris, Midlothian.

WASHINGTON

Mabel P. Rayback, Des Moines.

WEST VIRGINIA

Elizabeth R. Wyant, Alloy.
Bulow J. Snyder, Bartow.
Earl W. Rogers, Big Chimney.
Michael Hando, Cassville.
Evelyn Wolford, Edgarton.
Ruby Cobb, Glasgow.
Martha W. Burdette, Glen Ferris.
Conrad A. Graham, Hinton.
John Samuel Steward, Hundred.
Andrew J. Stacy, Iaeger.
Myrtle H. McCane, Mallory.
Clarence R. Roberts, Mannington.
Kenneth B. Crockett, Matewan.
Ernest A. Grim, Paden City.
Lacy A. Meadows, Rhodell.
John C. Kennedy, Sr., Rupert.
Dorothy L. Porterfield, Shenandoah Junction.
Harold G. Whitt, Switzer.
Erma J. Compton, Volga.
Dewain M. Canterbury, Walton.
Samuel J. Rees, Weirton.
Carrie M. Little, Wilcoe.

WISCONSIN

Bernice A. Bechard, Bear Creek.
George C. Drews, Hortonville.
George M. Hetherington, La Crosse.
Patrick H. Peterson, Valders.
Felix F. Neider, Wabeno.

WYOMING

Rex V. Nelson, Moorcroft.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 5, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-present God, Thou art with us in the stillness of the night and the struggles of the day, in the shadows and weariness of the evening, and the sunshine and freshness of the morning.

May Thy holy spirit enter our minds and hearts in this moment of prayer to inspire and direct our thoughts and feelings throughout the entire day in the ways of truth and righteousness.

Help us to know and understand that we do not face our tasks and responsibilities alone, for Thou art always at our side waiting to fortify and strengthen us with Thy grace.

We rejoice that Thou art willing and able to take and use our finite human wisdom in achieving Thy great and gracious purposes for the welfare of humanity.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, August 2, 1957, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 23, 1957:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended.

On July 26, 1957:

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

On August 2, 1957:

H. R. 192. An act to provide that members of the Board of Education of the District of Columbia may be removed for cause;

H. R. 441. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; and

H. R. 7665. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1747) entitled "An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HUMPHREY, Mr. TALMADGE, Mr. AIKEN, and Mr. WILLIAMS to be the conferees on the part of the Senate.

THE LATE HONORABLE WALTER F. GEORGE

The SPEAKER. The Chair recognizes the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Speaker, it is with deep regret and profound sorrow that I announce to the House the death of Hon. Walter F. George at his home in Vienna, Ga., in the early hours of yesterday morning.

Senator George was one of the most outstanding statesmen of all time and is so recognized not only by the leading men of every State of our country but throughout the world.

He served his State and the Nation with great credit and distinction for half a century, as a lawyer, prosecuting attorney, judge of superior court of the State, on the State court of appeals, as judge of the Supreme Court of the State of Georgia, as United States Senator for 34 years, and as special ambassador to NATO.

No one has done more to promote international understanding and world peace than Senator George. As a member and chairman of the Senate Foreign Relations Committee he had a deep understanding of foreign policies and wielded great influence in all foreign capitals. At the same time he always upheld the traditions cherished by his own people.

Senator George was equally well known as an authority on taxes and other fiscal matters, having served as chairman of the Senate Finance Committee for many years.

I never heard Senator George say an unkind word about anyone. He was uniformly kind, courteous, and considerate and one of the most unselfish men I ever knew in public life.

He was a devoted husband and father, and I know the Members of the House join me in extending sympathy to his beloved wife, Miss Lucy, and to all the family.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on the life, character, and public service of the late Senator Walter F. George at this point in the RECORD and that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD an editorial from today's Washington Post paying tribute to the late Senator Walter F. George.

The SPEAKER. Is there objection?

There was no objection.

(The matter referred to is as follows:)

WALTER F. GEORGE

It is something of a paradox that former Senator Walter Franklin George, who in his day became the most powerful man in the Senate, was so little known as a personality. From the beginning of his career the Senator had made a practice of letting his work speak for him. He shunned both society and publicity, and demagoguery was foreign to his nature. The son of a tenant farmer and a man of simple tastes, he never exploited his homespun qualities for political purposes, except when his opponents portrayed him as a tool of wealth. Though he never attained the status of a popular hero, his solid achievements are prominently woven into the fabric of history for a quarter of a century.

The most dramatic event in his long career came in 1938 when President Roosevelt sought to defeat him for renomination because he had courageously fought the President's attempt to pack the Supreme Court the year before. Sitting on the platform at Barnesville, Ga., from which the President called for his defeat, Senator George accepted the challenge and carried his case to the voters. He had supported most of the New Deal; he was not an anti-Roosevelt Democrat; but he ripped into F. D. R.'s efforts to purge him without restraint and won two-thirds of the counties in Georgia.

It is significant that after his return to the Senate observers could detect no vindictiveness in his voting record. Much of the respect that he acquired among his colleagues stemmed from his habit of voting his convictions, and his convictions usually reflected careful study of the issues rather than mere partisan affiliation. In 1941 he gave powerful support to F. D. R.'s Lend-Lease Act and other prewar and wartime measures. In more recent years he became the anchor of the administration's strength in the Senate.

There is nothing to indicate that Senator George's political affiliations wavered when he aided the Republican administration as ardently as he had previously supported Presidents of his own party in foreign policy. He was no political opportunist. Rather, he threw his influence behind the administration in both instances because he believed that the policy being pursued was right. The policy itself had changed but little with the shift from Democratic to Republican control, and Senator George insisted that it was as important to support the President in one instance as in the other.

This basic sincerity in the man accounts for much of the power he wielded in the Senate. His colleagues came to realize that George, as they often called him in recognition of his stature, could be relied on to vote what he believed to be the national interest with little regard for political pressures, local interests, or popular slogans. In the finest sense of the word, he was an authentic bipartisan in foreign affairs, and on domestic issues he was more likely to be influenced by what he believed to be constitutional and wise than by partisan considerations.

In his general outlook Senator George was conservative without being reactionary. Though his name is linked closely with the pay-as-you-go system of collecting the income tax, he was not an innovator. His largest contribution to the legislation of his day was that of judgment—a steadying influence. Many Senators came to rely upon him to sift out the facts with fine objectivity and draw a seasoned conclusion which would make their own decisions easier.

He took to the Senate genuine dignity without arrogance or pretense. The characterization of him as "a typical Southern aristocrat" is far wide of the mark. His demeanor can more accurately be described as that of a judge, and indeed he did sit in three different courts of his native Georgia. His courtesy and simple manner plus his habit of knowing his business and speaking his mind when the right occasion arose brought him eminence that had no taint of aristocracy.

The Senator's brief service as the President's personal ambassador to the North American Treaty Organization is significant chiefly as an indication of his willingness to continue serving his country after age, ill

health, and changing political currents had made it advisable to give up his original plan of seeking another term in the Senate last year. It is typical of him that he remained in harness to the end. His 34 years in the Senate will be gratefully remembered as an unfolding of statesmanship of the type that democracy sorely needs.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield.

Mr. VINSON. Mr. Speaker, in each generation there are a few men who stand out above all others. Walter F. George was one of those individuals.

Elected to the United States Senate on November 7, 1922, he served continuously with great honor and distinction in that body until January 3, 1957.

But even after having earned the undying respect of a grateful Nation for his outstanding contributions in State, national, and world affairs, he accepted an appointment from the President of the United States as his special ambassador to the North Atlantic Treaty Organization.

Mr. Speaker, words are so inadequate to describe the countless contributions that Senator George made not only to Georgia and the American people, but to the Free World.

He was a man of high principle, a man of rare courage, a man of brilliance, a man of integrity, and a man of great determination. He believed in the separation of powers in the Government; he believed that the legislative branch of the Government had to be completely independent of the executive branch of the Government. He believed this so strongly that at one time he became the target for political liquidation. But the people of Georgia—true to their faith, and recognizing in Senator George a stalwart champion of constitutional government—returned him to the United States Senate in a glorious victory for the people of Georgia and for the people of America.

Mr. Speaker, I know of no American whose record of contribution to the American people can surpass that of Senator Walter George: Solicitor general, circuit court judge, justice of the Georgia Supreme Court, United States Senator, chairman of the Senate Foreign Relations Committee, President pro tempore of the United States Senate, and finally, special ambassador to the North Atlantic Treaty Organization.

His life was one of selfless devotion to representative government. As chairman of the Foreign Relations Committee of the Senate, his nonpartisan approach to all matters affecting our international affairs greatly strengthened our national security.

He was a statesman in every sense of the word; a great orator, and an outstanding lawyer. He firmly believed that there was no room in the legislative process for demagoguery, but always room for the full development of the facts.

Mr. Speaker, I shall always feel that because of Senator Walter George, America is a better place in which to live.

My heartfelt sympathy goes out to his family. But they, I know, will take courage from the fact that he has established himself in the history of America and will forevermore be held before the eyes of Georgians and Americans, as a giant among men.

Not only does Georgia mourn his passing, but the entire Nation. And as the years go by the Free World will discover, if it has not already done so, that Senator Walter Franklin George was a man of the world, dedicated to freedom and democracy.

Mr. Speaker, Georgia has always pointed with pride to its United States Senators. Georgia has contributed many great Americans in the past, in the present, and, I am sure, will continue to do so in the future. But I am also sure that none have been, or ever will be, greater than Walter F. George.

I can only say that the world itself is better because the Great Supreme Being saw fit to place Walter George in the passing scene for the past 79 years. For most people, greatness is but a passing moment—for Walter Franklin George it will be in perpetuity.

Mr. FLYNT. Mr. Speaker, will the gentleman from Georgia [Mr. BROWN] yield to me?

Mr. BROWN. I yield to my colleague from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague from Georgia [Mr. BROWN] in his tribute to the life and memory of a beloved Georgian, the late Honorable Walter Franklin George, formerly a United States Senator from Georgia, and who, at the time of his passing on yesterday morning, was the personal representative of the President of the United States to the North Atlantic Treaty Organization with the rank of ambassador.

When the sad news of Senator George's death reached us yesterday morning it was received with regret and sorrow. Until a few short weeks ago his health had been good and his strength had been remarkable. When he recently became ill we expressed the hope and prayer that he might soon recover and for a time it looked as if he would regain his strength and his health. Even until a few hours before he expired on Sunday morning hope was held out that he might get well.

Our State of Georgia, indeed our Nation, has lost one of its most distinguished citizens who throughout a long and useful life reflected credit upon our State and its people. He was respected, admired and loved by countless thousands, and those who knew him best loved him most.

He was a kind and loving husband and father; an honorable and respected citizen; a distinguished and useful public servant; an able leader, and a skilled lawmaker.

Walter Franklin George was born in Preston, Webster County, Ga., on January 29, 1878. He attended the public schools of his home community and attended and graduated from Mercer University, first from the College of Arts and Sciences in 1900 and from its law department in 1901. He commenced the practice of law in Vienna, Dooly County, Ga., in 1901, and there maintained a home and an office for the balance of his life. In 1906 he first became a candidate for public office; in that year he was elected solicitor general of the Cordele Judicial Circuit in which office he served from January 1, 1907, until 1912. In 1912 he became judge of the superior courts of that judicial circuit and served in that capacity until 1917. On January 1, 1917, he became judge of the court of appeals of Georgia and there served until October 1, 1917, when he became associate justice of the supreme court of Georgia. He continued to serve as associate justice of Georgia's supreme court until he resigned in November 1922, to assume the office of United States Senator on November 22, 1922, to fill the unexpired term of the late Senator Thomas E. Watson. He was reelected to the United States Senate in 1926, 1932, 1938, 1944, and 1950. In 1956 he did not seek renomination to the Senate and retired from the United States Senate on January 3, 1957.

When the Democrats organized the Senate in the 84th Congress, on January 3, 1955, Walter F. George was elected President pro tempore of that body, a position last held by a Georgian in 1913 when the then Senator Augustus O. Bacon so served.

During his service in the United States Senate he served as chairman of the Finance Committee of that body, and subsequently as chairman of the Committee on Foreign Relations. During his service as chairman of those two important and powerful committees, he could speak authoritatively and accurately to the most minute detail on matters of finance, taxation, social security, and foreign affairs without a note or a written reference. He was possessed of a photographic memory, indeed, more than that—he possessed the unusual attribute and ability to remember accurately not only that which he had previously seen and read, but also and equally well that which he had heard. I well remember watching and listening to him speak on one occasion for nearly 2 hours on a difficult and technical subject without a note or reference. I thought that an amazing accomplishment, the amazing part of which was magnified when I later learned that a statistician had checked every figure and date which appeared in the transcription of that speech and found it to be accurate in every particular.

In 1928 he was Georgia's choice for the Democratic nomination for President of the United States. On the final tally at the 1928 Democratic National Convention he had received the second highest number of votes of all the candidates for the Democratic nomination that year. And after the convention was over he helped heal the wounds that intraparty bitterness and rancor had caused and campaigned actively and ably in Georgia and in many other States for the then Democratic nominees, Gov. Alfred E. Smith, of New York, and Senator Joseph T. Robinson, of Arkansas. As a young boy less than 14 years of age, I especially remember that campaign and I remember Senator George

and my father speaking jointly and working together to help carry Georgia for the Democratic Party in the most bitter and closely contested presidential election Georgia has ever known. It was from them during that campaign that I first learned my lessons in party loyalty; I have never forgotten those lessons and never have I deviated from them.

When I was first elected to Congress, the first mail which brought letters of congratulations brought me one handwritten by Senator George from his home or office in Vienna, Ga. When I first came to Washington to assume my duties as a Member of Congress, one of the first to greet me was Senator Walter F. George, and from him I received a warm and cordial welcome. I was proud to be associated with him as a member of the delegation from Georgia in Congress.

In his early young manhood he married the lovely and charming Miss Lucy Heard, who was his life's companion and his gracious hostess throughout more than 50 years of beautiful home life and official public life in Georgia and in Washington. That marriage was blessed by two fine sons, Heard Franklin George and Joseph Marcus George. The elder son, Heard Franklin, served as his father's administrative assistant and confidante for many years and was at his father's side on yesterday morning when the Supreme Guardian of us all called home one of his faithful servants. Senator and Mrs. George's younger son, Joseph Marcus George, a naval aviator, was lost at sea in the service of his country during World War II. Mrs. George and their son, Heard, both survive Senator George.

Walter F. George devoted full time to his duties as ambassador to NATO from the time of his retirement from the United States Senate in January 1957 until the beginning of his last illness.

Senator George left a firm and lasting imprint on the structure of government of our country. Not only during his 34 years of service as a United States Senator from Georgia, but during his entire public service, he was universally regarded as a man of knowledge, strength of character, integrity, and leadership. His life was a long and useful one, an abundant life filled with many contributions to Georgia and America. His life was complete with achievement and strength.

He was a distinguished public official; and kind and loving husband and father; a lovable Christian gentleman; and a warm personal friend.

I sincerely mourn his passing and Mrs. Flynt and I extend our heartfelt sympathy to Mrs. George and their son, Heard.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Georgia.

Mr. LANHAM. Mr. Speaker, I want to associate myself with and approve of the tribute paid to the late Senator Walter F. George by my colleague, the Honorable PAUL BROWN. True it is that nothing I say can add to the luster of his fame or add one cubit to his stature as a statesman. His life and his works speak eloquently for themselves. The word "great" is a much abused word. Because of this fact, it is not really adequate to describe the life and work of Senator Walter F. George. He was great in the truest sense of the word. He has left his footprints upon the sands of time.

Undoubtedly, Senator George was one of the few outstanding personalities of our time. An able and conscientious judge, a statesman in the truest sense of that term and a man who in his later years asserted a tremendous influence not only in our own country but throughout the world as he worked for peace among the nations, first as the bipartisan leader of foreign affairs in the Senate and later as the President's special ambassador to NATO. A man of deep conviction, he was ever ready to fight for what he believed to be right.

Yet with all, he was an humble man, never too busy to see constituents and others who needed his help. His door was always open to the Members of Congress from his own State and he was ever ready to lend a helping hand with our problems.

It goes without saying that his passing is a tremendous loss to his country and to the world. His going is truly a personal loss to me.

To his wife—affectionately known in Georgia as well as here in Washington as "Miss Lucy"—and to his son and other members of the family, I offer my condolence and my sincere sympathy in their great loss.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Speaker, our Almighty God, the giver of every good and perfect gift, has ushered in a beautiful, radiant, and sunshiny day today, and no wonder. For down in the little city of Vienna, Ga., a part of the great district I have the privilege to represent, the mortal remains of one of His most humble and choicest servants shall be laid to rest.

At 4 o'clock this afternoon, the funeral of Georgia's greatest and most distinguished son, Hon. Walter F. George, will be conducted by two of God's own elect. It is a stupendous fact that God in His infinite justice, has provided two of His own elect to perform these rites. One of those servants is the Senator's own pastor, Dr. L. C. Cutts, a man who has walked and talked with God over the years. The other, a lifelong friend of the Senator, Dr. T. W. Tibbett, a man who knows God as intimately as he does his own family. Those are the type men that God has chosen to lay to rest the remains of a servant who was faithful in all things, and one in whom God is well pleased.

In a sense, truly it will be a sad occasion, but in the deeper sense, it will be a joyous one. Senator George believed in God, he knew God, and God knew him. On this beautiful day, I am completely persuaded that Moses and Elijah, representing the law and the prophets, together with the one that they both prophesied of, the lowly Nazarene, will be there today, mixing and mingling with the thousands of friends, rich and poor, white and black, all gathered there for the single purpose of expressing to some degree the great love which they held in their hearts for the noble and humble man who served them so faithfully, so unstintingly, so efficiently, for more than half a century. Yes, Mr. Speaker, I am supremely confident that God's own spirit will move mightily those who assemble there today and will soothe and sustain the Senator's lifelong companion, the beloved Miss Lucy, the son, Heard, and all the other members of that illustrious family, and cause them to say, "All is well, because God doest all things well."

Mr. Speaker, naturally I speak with feeling, Senator George was my dear friend. Hanging on the walls of my office, and in an honored and special place, is his photograph, and in his own handwriting, amongst other things can be read: "To my own personal Congressman." He was not only my genuine friend, he was my guide and my counselor. He was particularly interested in me, and perhaps for several reasons. One, I know, is that he loved our Congressional District with all of his heart, with all of his soul, and with all of his being, and he wanted to be of any and every service that he could to the one that those people had chosen to represent them in the House. Another, I am sure, is that we came from the same kind of soil, and from the same kind of people. I was born and reared in the same judicial circuit that he was born and reared in. My peope knew his people, and I practiced law in later years at the same bench and bar, which he practiced in some years before. I will never forget his kindnesses, and the personal interest he exhibited in me. Undoubtedly, he was the humblest public servant I have ever had the privilege to know. Undoubtedly, he was the easiest man to see that I have ever known in public life, and the easiest public servant to enlist his personal aid that I ever had the privilege of being associated with. I well recall one occasion, Mr. Speaker, when a matter of some importance arose in our district. I needed the Senator's aid, and I went over to his office, and said to him, "Judge, are you busy this morning?" He responded, "Well, Tic, I am just writing a tax law for the United States." I said, "Well, I will come back later, because I have about 2 hours' work that I wanted you to assist me with." He responded by calling his son, Heard, and saying, "Get my coat and hat, Heard, I'm going off with Tic."

Mr. Speaker, I have known Senator George all of my life. He has always been my ideal. He has always typified to me all of the great things that have been said about America. Senator George was born in a rural section and amongst rural people. He was born in the fine little county of Webster, in the southwestern judicial circuit of Georgia. Senator George was born in the Reconstruction era of poor but Christian parents, and parents who knew only poverty from a material standpoint, because they were rich in resolute character and in the traditions of our country. He had the privilege of

being reared in that small rural community amongst people who knew poverty from a financial standpoint, but who never suffered with poverty of the soul. Senator George well remembered that Reconstruction era and the trials and vicissitudes visited upon his people. He knew suffering in the fullest and deepest sense as a boy. But instead of that hardening him, it only made him greater and more determined to bring order where there was chaos, happiness where there was fear, plenty where there was want, and to bring the people of the four corners of this Nation into the permanent bonds of brotherly love and affection. It was extremely hard to obtain an education then, and somehow, Mr. Speaker, I am inclined to think it is hard now. One simply cannot obtain an education, although it may be offered free, unless the person desires with his heart and soul to obtain it. In that rural atmosphere, Senator George learned of God and His goodnesses, and he was nurtured with the doctrines of Christianity from his mother's knee. It was hard, it required work, it required sacrifice, but he was able to go to Mercer University, a small Baptist college at Macon, Ga., and there he pursued his studies with such zealousness that he was graduated in the law at that institution, and although that Baptist college has produced many outstanding men, he is the No. 1 alumnus of that fine institution of learning, and the law school of that college is known as the Walter George School of Law.

After his admission to the bar, he settled down at Vienna, Ga., and in a matter of months was known as the brightest young star that had emblazoned the legal horizon of our State. It has been said, and I believe, that he never took a case because of a fee, but because of the facts that cried out for remedial justice. This quiet and unassuming man never sought any public office. He was never impressed with his ability; he never had the slightest idea that he was great. But a grateful people knew. Public office sought him. In his youth he was honored with the high office of prosecuting attorney of his judicial circuit and he established a record in that office that will endure through the ages. In just a short time he was elevated to the office of judge of superior court of his circuit, and his innate justice, his even disposition, his remarkable knowledge of the law demanded that he be called to our appellate courts. He served with distinction in the Court of Appeals of Georgia, and thereafter as a justice of the Supreme Court of the State of Georgia indelibly stamped himself as one of the greatest jurists this country has ever had. When a vacancy occurred in the United States Senate, virtually all of Georgia agreed that Walter F. George was the man for that position. Everyone knows the distinguished service and the labor of love that he bestowed upon a grateful people.

Mr. Speaker, no finer or greater Senator ever served in the most deliberative body upon the face of the earth than Senator Walter F. George. Surely, there was none more nonpartisan than he. None sought the truth more diligently than he, and none discovered the truth with more clarity. None worked harder to bind up the wounds of the people. None made a greater contribution to humanity. He made life a little easier for the entire human race. Certainly, he was one of the most gifted orators this country has ever produced, but even that was not his greatest asset. It was that innate fairness, that consuming love, that passionate desire for justice that his colleagues respected him as few have ever been respected. It was an unanswerable logic that he advanced that swayed good servants of the people, and caused them to follow his judgment. I will not attempt to enumerate the great things that he did as our Senator, but somehow, some way, I believe he obtained more pride in the knowledge that he had made provision for worthy boys and girls throughout this land to obtain an education, to equip boys and girls so that they could respond to the challenge of the times, and to make the twilight of life more pleasant and happy for our elders, and to be the chief architect for peace, than in other things that he did.

On this day I am sure everyone will join me in this statement: "Blessed are the peacemakers, for they shall see God." Yes, that great peacemaker has laid down the working tools of life, to take up another greater and more noble work in the kingdom of God.

To Miss Lucy and to Heard, and to the members of that family, we say, "How lucky was the human race to have had a man like him." May God bless and keep his faithful and devoted companion, his loving, tried and trusted son, Heard, and all of his dear family in as full and ample a measure as he kept Walter F. George throughout all of his days, is our earnest prayer.

Mr. JENKINS. Mr. Speaker, it was my privilege to know Senator George intimately; and inasmuch as we lived on the same floor in the same hotel for years we were together very frequently. In addition to that he was a member of a Senate committee which met with a similar committee of the House on financial matters. The thing I want to say about him in addition to all the things have been said is that Senator George was a man of strong mental capacity. He had a very discerning mind, and he had the capacity to handle the deepest and most complicated financial matters that the Senate and House had to contend with.

I want to bring my testimony here to say that I appraise him highly because of his capacity as a public official.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, in the death of our late friend Senator Walter F. George, the country has lost not only one of its greatest citizens of all time, but one of its greatest legislators. One could talk for hours about Walter George, the man, his brilliance, his kindness, his greatness, his goodness, the wonderful things he symbolized, the beauty of his mind and the nobility of his character; all those things I have in mind as I am making these few remarks on this sad occasion.

When the historians of tomorrow write the history of this trying period that we are undergoing and when godless communism has been rolled back and Russian imperialism has been defeated, one of the most prominent figures the historians of tomorrow will write about in that contribution will be our late friend, Senator Walter F. George.

To Mrs. George, to her son, and to the Members of the Georgia delegation, their friends, I extend my deep sympathy and join with them in the feeling of deep sorrow they have. I particularly extend to Mrs. George and her loved ones my profound sympathy in their bereavement.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield.

Mr. MARTIN. I join in this tribute to the great statesman and great American, Senator George, who died in his Georgia home yesterday. He was a lovable, kindly man and in my long associations with him I never knew him to harm a single individual. His ability and statesmanship was universally recognized. Without doubt he was one of the ablest statesmen of this generation. His grasp of tax and economic problems was remarkable, and in the foreign field he was sound and farseeing. The entire country is poorer for his departure. To his good wife and family I extend my sincere regrets.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Speaker, I could not fail to embrace this opportunity to raise my voice in brief but very sincere tribute to the life, character, and public service of the distinguished late Senator Walter F. George of the great State of Georgia.

It was my privilege to work with him very closely during his long service as a member and as chairman of the Committee on Finance of the Senate and to know his devotion to the welfare and interest of the people of this country. He was a man who possessed the highest attributes of Christian character and all of the sterling qualities of manhood. He was, indeed, a great, outstanding, and patriotic public servant.

I extend to his family my deepest sympathy in the time of their greatest bereavement.

Mr. RAYBURN. Mr. Speaker, in the passing of Senator Walter F. George our own country and the world have lost an outstanding citizen and a legislator of the highest type. We see his like too seldom. To his lovely helpmate, Miss Lucy, and all his loved ones my deepest sympathy.

Mrs. BLITCH. Mr. Speaker, it was with a very heavy heart that I learned Sunday morning of the death of Senator Walter George. It is with overwhelming sadness, that I today join my colleagues to participate in these tributes to his memory.

Senator George has been on the political scene of Georgia ever since I can remember. As a young girl in school,

with an intense interest in political science, I looked on him as an ideal.

Senator George was a man of many virtues. Rarely in public life, do we see a figure of such great eminence and accomplishment retain so much humility and modesty. He was devoted to his wife, "Miss Lucy." He loved his fellowmen, and he gave the fullness of his life in service to his country.

He will be missed in the world of government and remembered as a wise and able man; a man of integrity; a man of principle; a man who put duty above all else. I am sure that future generations will look back through time and recognize him as one of America's noblest statesmen.

Throughout his long and fruitful years as a public servant, he gave of his best to the people of Georgia and the Nation. His greatest monument will be the record that he leaves behind of service, loyalty, and devotion to duty as he felt it within his heart.

He was a southern gentleman in the finest tradition. I am proud that he was a Georgian. I am proud that he was my friend.

Mr. SIKES. Mr. Speaker, young men, and women have always looked to their elders for inspirations of character, belief and success. A shining example of one of the finest inspirations was the late Senator Walter F. George of Georgia.

My admiration for the late Senator began in my college days when every impression that is a good impression makes a lasting imprint. I formed a great admiration for the distinguished gentleman from Georgia. Years later after coming to Washington as a Representative of the people of northwest Florida, that admiration for Senator George continued to grow, not only for his great ability as a legislator, but for his personal friendliness, helpfulness, and constant cooperation as well. Walter F. George knew and recognized the need for good sound government and by his actions he was a living symbol for good government. Until the last, he was willing to forget his personal well-being and to place his service to his country above all else.

He was not a man eager for wide acclaim and for recognition for the great work he did, but his record of statesmanship and personal dignity will be remembered and admired by many generations to come.

I hold the deepest sympathy for Mrs. George and the other loved ones of the late Senator; however, I am confident this great sorrow is softened through the knowledge that the people of the United States share in this grief. While his death is a great loss to us all, his lifetime work is a gain that will last throughout the days of this Nation.

Mr. Speaker, many wonderful things can be said of the late Senator, but as I look back through the years and recall my own experiences I feel that one of his greatest contributions has been the inspiration of his life and work to the youth of America for good government, fair play, and humble service for all men and women.

Mr. KEOGH. Mr. Speaker, the passing of the Honorable Walter F. George removes from public life one of the most widely respected national and international figures of our time. After a third of a century of service to State and Nation in the other body, Senator George, at 79, was continuing in the role of devoted servant of the people as special ambassador to the North Atlantic Treaty Organization. A public office was truly a public trust to Walter George. In his painstaking search for the right, he comported himself always with dignity, courtesy, and respect for honest differences of opinion. Unreasoning partisanship was abhorrent to him. As one of the architects of the bipartisan foreign policy of the United States, he spent his energies freely, despite advancing years, in behalf of the security of his country and peace in the world.

So long as citizens of the intellect and perception of this distinguished Georgian are willing to devote their lives to the public business, the Republic will be in competent and dedicated hands. May his sterling standards serve to inspire others to a continuing solicitude for the common weal.

Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include the following editorial of tribute which appeared in the New York Times of Monday, August 5, 1957:

WALTER FRANKLIN GEORGE

A majestic decency, a civilized faith in a genteel, but steel-hard, political conservatism of a kind that is now all but gone into memory; a devotion to a true internationalism that has done no little in these past 30 years to shape the world's affairs, all these qualities are lessened now with the death of Walter Franklin George.

His last mission was as a foreign policy adviser to President Eisenhower; and in this he served with a faithfulness and a small private sense of irony, both of which his friends knew always lived in him.

But his real mark upon our public affairs, and upon the pilgrim's progress toward unity and safety of the Western World, was made as George of Georgia. George of Georgia was, of course, Senator George, the former chairman of the Senate Foreign Relations Committee, the former chairman of the Senate Finance Committee, the dean and patriarch of all the Senate.

His melancholy thunders from the floor left no man unmoved; he was the greatest Senate debater of many years. He was the greatest Senator, southern style, of this century, to say the very least.

Certain aspects of what is called economic democracy were not for him; he was safe and he was proud of it, and he closed his eyes in pain at the economic heresies of the last two Democratic Presidents. These he supported magnificently beyond the water's edge; from them he turned in aristocratic horror when they dealt with matters like labor and civil rights.

But, in the last and highest sense, he served nothing less noble than honorable strength and honorable peace, warring first upon Hitler and his confederates and last upon Stalin and those who have followed him in the darkness of the Kremlin.

Well done, George of Georgia—and farewell.

Mr. PILCHER. Mr. Speaker, I want to associate myself with, and approve of the tributes paid the late Senator Walter F. George by my colleagues. I have never known a man in my life, in any walk of life, that I thought had more integrity, courage, and ability than Walter F. George. With all of his greatness, he was one of the most humble, gracious, and kind men I have ever known. He loved people; he loved his State; he loved his Nation.

On any question, politics never entered his mind. His country came ahead of Democrats or Republicans. He shunned both society and publicity, and demagoguery just was not in his book.

Walter George was never too busy to answer his phone when one of his colleagues called, or to see them in his office and lend a helping hand with their problems.

The Nation has lost a great man, the family has lost a wonderful husband and father, and I have lost one of the truest friends I have ever had. To Miss Lucy, Heard, and members of the family, I offer my condolences and sympathy in their great loss.

Mr. DAVIS of Georgia. Mr. Speaker, it was with much sadness that I learned Sunday of the passing of Senator George. The news brought a flood of memories of this beloved Georgian during a lifetime of public service, and treasured recollections of my association with him personally.

I knew and appreciated Senator George before he came to Washington, while he served as an appellate judge in the Georgia courts. He built for himself there a deserved reputation for ability, learning, and integrity. When a vacancy in the Senate was created by the death of another great Georgian, Senator Thomas E. Watson, it was logical that Judge George should be chosen to represent Georgia in this office of such great responsibility. The diligence and fidelity with which he served in the Senate have written his laudable record there far better than I could ever recount it. His life was a living example of the fact that in America a citizen has the opportunity to rise as fast and as high as his ability and energy qualify him to go.

I came to know Senator George better and more intimately than ever before when I came to Congress in 1947. I had occasion many times during my service here to confer with him regarding legislative matters, and regarding personal problems of constitutents. I found him always the soul of kindness, generosity, and helpfulness. I never called upon him for assistance of any kind that he did not respond promptly and helpfully. The weighty matters of Government with which he was always concerned never caused him to be abrupt, and never interferred with his genial and friendly manner.

It was indeed a high privilege to know Senator George and count myself as one of his friends.

In Senator George's passing the free world has sustained a tremendous loss. His life and his activities have ended, but his public service will for many years to come influence the destiny of America and the world.

I extend deepest sympathy to Mrs. George and the members of the family.

Mr. MILLS. Mr. Speaker, I join in tribute to Walter F. George. Senator George was the most outstanding Senator of his time. He devoted his entire life to service to his country. He was

an authority in all legislative fields and particularly in the fields of taxes, social security, and foreign affairs. His monument will be his contributions to these many fields.

His advice was sought by Presidents and other high Government officials and all of those who were privileged to serve with him in the Congress of the United States. Even before his death he had already earned a place in history as one of the most respected and most beloved public officials of his time.

It was my extreme good fortune to have worked very closely with him in recent years in legislative matters. I often sought his counsel and advice and he very kindly gave it freely despite his busy life.

His loss is one which our Nation can ill afford in these troubled times. Our only consolation is to pattern our efforts after the example which he set for the highest in integrity, patriotism, devotion to duty, and country.

I extend my heartfelt sympathy to the members of his family.

CORREGIDOR BATAAN MEMORIAL COMMISSION — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 221)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustration:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor Bataan Memorial Commission for the fiscal year ending June 30, 1957.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1957.*

JOINT RESOLUTION TO PROMOTE PEACE AND STABILITY IN THE MIDDLE EAST—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 220)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the first report to the Congress covering activities through June 30, 1957, in furtherance of the purposes of the Joint Resolution to Promote Peace and Stability in the Middle East.

The resolution is an important milestone in our foreign policy as it relates to the Middle East. Since its approval on March 9, 1957, the resolution has played a major role in our cooperation with nations of the area to build strength against the threat of international communism. Furthermore, it has served as an unmistakable warning to international communism against all forms of aggression. The contribution of the resolution to international peace and stability in the Middle East will continue to grow as long as the purposes and principles it sets forth are maintained.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 31, 1957.*

PERSONAL EXPLANATION

Mr. KEATING. Mr. Speaker, on roll No. 169 I was listed as not voting, due to unavoidable absence from the Chamber. Since I feel that no convincing case had been made for the passage of H. R. 6763, if I had been present, I would have voted nay.

CONSENT CALENDAR

The SPEAKER. The Chair desires to make a statement. We have one of the heaviest calendars we have ever had in the House of Representatives in many, many years and the Chair desires to get at the business of the day.

The first thing on the program is call of bills on the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

COMMEMORATING THE 100TH ANNIVERSARY OF THE CIVIL WAR

The Clerk called the first bill on the Consent Calendar, House Joint Resolution 253, to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand from the author that the bill will require the expenditure of $100,000?

Mr. TUCK. Mr. Speaker, I understood the chairman of the subcommittee would be here to reply to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa.

There was no objection.

AUTHORIZING SECRETARY OF THE INTERIOR TO REIMBURSE OWNERS OF LAND ACQUIRED UNDER FEDERAL RECLAMATION LAWS FOR THEIR MOVING EXPENSES

The Clerk called the bill (H. R. 6940) to authorize the Secretary of the Interior to reimburse owners of lands acquired under the Federal reclamation laws for their moving expenses, and for other purposes.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING NAVY RATION STATUTE TO PROVIDE FOR SERVING OLEOMARGARINE OR MARGARINE

The Clerk called the bill (H. R. 912) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. AUGUST H. ANDRESEN, MARSHALL, and BASS of Tennessee objected and under the rule the bill was stricken from the calendar.

AUTHORIZING CERTAIN PERSONS TO WEAR THE UNIFORM OF A RESERVE OFFICERS' TRAINING CORPS

The Clerk called the bill (H. R. 7696) to authorize certain persons to wear the uniform of a reserve officers' training corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 773 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(c) Under such regulations as the Secretary of the military department concerned may prescribe, any person who is permitted to attend a course of instruction prescribed for members of a reserve officers' training corps, and who is not a member of that corps, may, while attending that course of instruction, wear the uniform of that corps."

The bill was ordered to be engrossed read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING OFFICE OF DEPUTY JUDGE ADVOCATE GENERAL OF THE NAVY

The Clerk called the bill (H. R. 8121) to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEASING OF OIL AND GAS DEPOSITS IN LANDS BENEATH INLAND NAVIGABLE WATERS IN TERRITORY OF ALASKA

The Clerk called the bill (H. R. 8054) to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

DEFINITIONS

SECTION 1. That, when used in this act—

(a) The term "lands beneath inland navigable waters in the Territory of Alaska" means (1) all lands within the boundaries of the Territory of Alaska which are covered by nontidal waters that are navigable under the laws of the United States, up to the ordinary high-water mark as heretofore

or hereafter modified by accretion, erosion, and reliction, and (2) all lands within the boundaries of the Territory of Alaska which are permanently or periodically covered by tidal waters and which lie landward of the coastline, up to but not above the line of mean high tide.

(b) The term "coastline" means the line of ordinary low water along that portion of the coast of the Territory of Alaska which is in direct contact with the open sea and the line marking the seaward limit of inland waters.

(c) The term "Mineral Leasing Act" means the act of February 25, 1920 (41 Stat. 437; 30 U. S. C. 181, et seq.), and all acts heretofore or hereafter enacted which are amendatory thereof or supplementary thereto.

(d) The term "Secretary" means the Secretary of the Interior.

SEC. 2. All deposits of oil and gas owned or hereafter acquired by the United States in lands beneath inland navigable waters in the Territory of Alaska, together with the lands containing those deposits, may be leased and otherwise administered, treated, and dealt with by the Secretary under and pursuant to the provisions of the Mineral Leasing Act which are applicable to oil and gas deposits generally and the lands containing such deposits owned by the United States in the Territory of Alaska and all such provisions of the Mineral Leasing Act shall be applicable to deposits of oil and gas owned or hereafter acquired by the United States in lands beneath inland navigable waters in the Territory of Alaska, except as otherwise provided in this act.

SEC. 3. All moneys received from the sale of, or as bonus, royalty, and rental under, any lease issued pursuant to this act shall be paid into the Treasury of the United States. As soon as practicable after December 31 and June 30 of each year the Secretary of the Treasury shall pay 90 percent of such moneys to the Territory of Alaska, 37½ percent to be used for the construction and maintenance of public roads or for the support of public schools or other public educational institutions in such manner as the Legislature of the Territory of Alaska may direct, and 52½ percent to be used for such purposes as the Legislature of the Territory of Alaska may direct.

SEC. 4. Upon written application from any lessee or applicant or offeror for lease hereunder, the Secretary, unless a final determination has been previously made by a court of competent jurisdiction, shall determine whether and to what extent any body of water is inland navigable waters in the Territory of Alaska as referred to in this act, and shall determine and designate the line marking the seaward limit of any such inland navigable waters.

SEC. 5. Nothing in this act shall be construed as affecting existing rights, or rights acquired in the future, under existing laws, executive withdrawals, or reservations, to take natural resources, including fish and wild game, from the waters above lands beneath inland navigable waters in the Territory of Alaska, nor shall anything in this act interfere with the free and unimpeded navigation of those waters or navigational servitudes therein, but the existence of such rights, withdrawals, or reservations shall not preclude simultaneous and unimpeded operations under any lease issued pursuant to this act. All operations under leases issued pursuant to this act shall be subject to such rules and regulations as the Secretary of the Interior may prescribe for the prevention of injury to fish and game.

SEC. 6. If any oil and gas lease issued for public land pursuant to the Mineral Leasing Act which was in effect on January 1, 1957 (or any application or offer for such a lease of such land, which was pending on that date and subsequently became or becomes effective), embraces within the boundaries described in the lease (or application or offer) any lands beneath inland navigable waters in the Territory of Alaska not within any known geological structure of a producing oil or gas field, the lessee (or applicant or offeror) shall, upon application filed while such lease (or application or offer) is still in effect but not more than 1 year after the date of approval of this act and under regulations to be prescribed by the Secretary, have a preference right to a lease, to be issued pursuant to this act, covering such lands beneath inland navigable waters in the Territory of Alaska, without regard to acreage limitations, except that the provisions of this section shall not entitle any party, with respect to any one lease, application, or offer effective or pending on January 1, 1957, to a preference right to lease more than 640 acres of land beneath any single body of inland navigable waters in the Territory of Alaska.

SEC. 7. Upon the transfer to the Territory of Alaska or to any future State or States erected out of the Territory of Alaska of title to any of the lands beneath inland navigable waters in the Territory of Alaska, the provisions of this act shall cease to apply to any lands which are so transferred: *Provided, however,* That any lease issued pursuant to this act (or application or offer for such a lease) or unitization or other agreement approved or prescribed by the Secretary as to any of the lands covered by any such lease which is in effect at the time of such transfer of title to any of the lands beneath inland navigable waters in the Territory of Alaska shall not be terminated or otherwise affected by such transfer of title; but all the right, title, and interest of the United States under such lease (or application or offer for lease) or unitization or other agreement, including any authority to modify its terms and conditons that may have been retained by the United States, and all obligations thereunder shall vest in the Territory of Alaska or the State to which title to those lands beneath inland navigable waters in the Territory of Alaska covered by the lease (or application or offer for lease) or unitization or other agreement is transferred.

SEC. 8. Nothing in this act shall be deemed to repeal or modify any provision of the act of August 8, 1947 (61 Stat. 916), entitled "An act to amend section 26, title I, chapter 1, of the act entitled 'An act making further provision for a civil government for Alaska, and for other purposes' ", permitting exploration and mining for gold and other precious metals in beds of navigable tidal and nontidal waters of Alaska, but nothing in said act of August 8, 1947, nor any rights acquired thereunder shall preclude simultaneous and unimpeded operations under any lease issued pursuant to this act.

SEC. 9. Any proceeding affecting any lease issued pursuant to this act may be brought in the United States District Court for the District of Alaska or in any United States district court for the district in which the defendant resides or has his principal place of business.

SEC. 10. The Secretary shall have authority to issue such rules and regulations as are appropriate and necessary to carry out the purposes of this act.

With the following committee amendment:

On page 3, line 19, strike out "and to what extent any body of water" and insert "any body of water, or any part of any body of water."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING SHELBY COUNTY FROM THE BEAUMONT DIVISION TO THE TYLER DIVISION (TEXAS)

The Clerk called the bill (H. R. 2136) to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas.

Mr. BERRY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

INCREASING BENEFITS PAYABLE TO WIDOWS OF CERTAIN EMPLOYEES OF THE LIGHTHOUSE SERVICE

The Clerk called the bill (S. 235) to increase from $50 to $75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RETIREMENT PAY BY LIGHTHOUSE SERVICE EMPLOYEES

The Clerk called the bill (S. 236) to amend section 6 of the act of June 20, 1918, as amended, relating to the retirement pay of certain members of the former Lighthouse Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved June 20, 1918, as amended and supplemented (33 U. S. C. 763), is amended by adding at the end thereof the following: "Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LANDS FOR CEMETERY PURPOSES IN NORTH CAROLINA

The Clerk called the bill (H. R. 1262) to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FORWARDING OF VETERANS' BENEFIT CHECKS

The Clerk called the bill (H. R. 1953) to provide for benefits provided by laws administered by the Administrator of Veterans' Affairs may be forwarded to the addressee in certain cases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first paragraph of section 3 of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1913, and for other purposes," approved August 17, 1912, as amended (38 U. S. C., sec. 50), is hereby amended to read as follows:

"SEC. 3. Pensions, compensation, insurance, or other allowances or benefits provided for by laws administered by the Veterans' Administration shall be paid by checks drawn, pursuant to certification by the Administrator of Veterans' Affairs, by the Secretary of the Treasury in such form as to protect the United States against loss, without separate vouchers or receipts, and payable by the Treasurer of the United States, except in any case in which the Administrator of Veterans' Affairs may consider a voucher necessary for the protection of the Government. Such checks shall be transmitted by mail to the payee thereof at his last known address and, if he has moved and filed a regular change of address notice with the Post Office Department, shall be forwarded to him. The envelope or cover of each such check shall bear on the face thereof the following notice: 'Postmaster: Please forward if addressee has moved and filed a regular change of address notice. If addressee is deceased, return the letter with date of death, if known.'"

(b) The second paragraph of such section 3 is hereby amended by striking out "or removed."

SEC. 2. Sections 4764, 4765, and 4767 of the Revised Statutes of the United States are hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert "That (a) the third sentence of section 920 (a) of the Veterans' Benefits Act of 1957 is amended to read as follows: 'Such checks shall be transmitted by mail to the payee thereof at his last known address and, if he has moved and filed a regular change of address notice with the Post Office Department, shall be forwarded to him. The envelope or cover of each such check shall bear on the face thereof the following notice: 'Postmaster: Please forward if addressee has moved and filed a regular change-of-address notice. If addressee is deceased, return the letter with date of death, if known'."

"(b) Section 920 (b) of such act is amended by striking out 'or moved'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF LAND AT JOHNSON CITY, TENN.

The Clerk called the bill (H. R. 2237) authorizing the transfer of certain property of the Veterans' Administration, in Johnson City, Tenn., to Johnson City National Farm Loan Association and the East Tennessee Production Credit Association, local units of the Farm Credit Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized to transfer to Johnson City National Farm Loan Association and the East Tennessee Production Credit Association, local units of the Farm Credit Administration to allow property line at right angle to United States Highway 11–E and as adjoining the property of the two associations certain property of the Veterans' Administration situated in Johnson City, Tenn., and described as follows:

A triangular tract beinning at an iron pin on the south margin of United States Highway 11–3, present corner of Veterans' Administration property and corner to Claude Pierce, thence with the right-of-way of said highway south 74 degrees west 50 feet to an iron pin in said right-of-way, thence with a new line leaving the highway at a 90-degree angle, south 16 degrees 30 minutes east 130 feet to an iron pin in the original property line of the Soldiers Home and in the Pierce line, thence with the original line and Pierce north 5 degrees east 140 feet to the beginning and containing .0746 acres, more or less.

With the following committee amendments:

Page 1, line 3, immediately following the word "That", insert a comma and "subject to section 2 of this act."

Beginning with the word "certain" in line 9, page 1, strike the remainder of the bill and insert in lieu thereof a comma and the following:

"a parcel of land containing approximately 0.0746 acre, situated in the reservation of the Veterans' Administration Center, Mountain Home (Johnson City), Tenn., an exact legal description of which, satisfactory to the Administrator or his designate, shall be furnished by the associations.

"SEC. 2. In consideration for the conveyance authorized by this act, the associations shall pay the fair market value of the land to be transferred, as determined jointly by the Administrator, or his designate, and the associations. The deed of conveyance may contain such conditions, reservations, and restrictions as the Administrator, or his designate, determines to be necessary to protect the interests of the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF LAND IN CALIFORNIA

The Clerk called the bill (H. R. 4098) to provide for the conveyance to the State of California a portion of the property known as Veterans' Administration Center Reservation, Los Angeles, Calif., to be used for National Guard purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FULTON. Mr. Speaker, reserving the right to object, is there any consideration involved in the transfer of the property?

Mr. FORD. Mr. Speaker, if the gentleman will yield, for the information of the gentleman, I think the facts are that there is no consideration.

Mr. DOYLE. There is no consideration. The State pays all the expenses. The Federal Government is not putting up any money.

Mr. FULTON. Does the State buy it? Does the local government buy it, or is it just a free transfer?

Mr. DOYLE. This is one-third of a total of 15 acres. The other two-thirds have already been conveyed for other purposes.

Mr. FULTON. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of the Veterans' Administration is authorized and directed to convey to the State of California all right, title, and interest of the United States in and to a parcel of land comprising 3 85/100ths acres, more or less, being that parcel of land fronting approximately 419 52/100ths feet on Federal Avenue set aside for a proposed National Guard Armory and now a portion of the Veterans' Administration Reservation, Los Angeles, Calif., subject, however, to the conditions and restrictions set forth in section 2 of this act.

SEC. 2. The conveyance authorized by this act shall be made without monetary consideration therefor but upon condition that the property shall be used for training of the National Guard and for other military purposes, and in the event it shall not be used for such purposes title thereto shall immediately revert to the United States, and, in addition, title to all improvements made by the State of California during its occupancy shall vest in the United States without payment of compensation therefor. The deed of conveyance shall reserve to the United States all mineral rights, including gas and oil, and contain the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon determination by the Secretary of Defense that the property conveyed is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of California, for a period not to exceed the duration of such state of war or national emergency plus 6 months, and upon cessation of such use the property shall revert to the State of California, together with any or all improvements thereon and appurtenances appertaining thereto.

SEC. 3. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the grantee.

With the following committee amendments:

On page 1, line 3, strike out "the Veterans' Administration" and insert "General Services."

On page 2, line 11, immediately after "improvements," insert the following: "(except those improvements which the State of California removes at its own expense within a reasonable time after title to such property has reverted to the United States)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING AMOUNT PAYABLE FOR SHIPPING CHARGES

The Clerk called the bill (H. R. 5757) to increase the maximum amount payable by the Veterans' Administration for mailing or shipping charges of personal property left by any deceased veteran on Veterans' Administration property.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the act of June 25, 1938 (52 Stat. 1192; 38 U. S. C. 16f) is amended by striking out "$10" and inserting in lieu thereof "$25."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 1907 of the Veterans' Benefits Act of 1957 is amended by striking out '$10' and inserting '$25'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REDEFINING TERM "STATE"

The Clerk called the bill (H. R. 7251) to amend the definition of the term "State" in the Veterans' Readjustment Assistance Act and the War Orphans' Educational Assistance Act to clarify the question of whether the benefits of those acts may be afforded to persons pursuing a program of education or training in the Panama Canal Zone.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TERMINATION OF VETERANS' EDUCATIONAL APPEALS BOARD

The Clerk called the bill (H. R. 8076) to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 11 (d) of part VIII of Veterans Regulation No. 1 (a) is amended by adding at the end thereof the following new subparagraph:

"The Veterans' Education Appeals Board established by this paragraph shall cease to exist 60 days after the date of enactment of this subparagraph, and the records of the Board shall thereupon be transferred to the National Archives and Records Service of the General Services Administration, for retention to the extent warranted, or otherwise for disposition according to law. The Board shall not receive or act upon any application for review filed after the date of enactment of this subparagraph."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPENDITURES FOR RECREATION AND WELFARE OF COAST GUARD

The Clerk called the bill (H. R. 3018) to amend title 14, United States Code, entitled "Coast Guard," to authorize expenditures for recreation and welfare of Coast Guard personnel and the schooling of their dependent children.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CONVEYANCE OF LANDS TO GLOUCESTER, MASS.

The Clerk called the bill (H. R. 3748) to provide for the conveyance of certain lands of the United States to the city of Gloucester, Mass.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

WARRANT OFFICERS' RANK ON RETIREMENT

The Clerk called the bill (H. R. 5806) to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes.

The SPEAKER. It there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, may I ask the chairman or someone on the committee, does this legislation make any changes which would make the setup any different in respect to the Army, the Navy, and the Air Force personnel?

Mr. BONNER. No, it does not.

Mr. FORD. In other words, the situation would coincide rather than differ?

Mr. BONNER. That is correct.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that similar Senate bill, S. 1489, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 243 of title 14, United States Code, entitled "Coast Guard", be amended to read as follows:

"§ 243. Retirement in cases where higher grade has been held

"(a) Any commissioned officer, other than a commissioned warrant officer, who is retired under any provision of section 230, 231, 232, or 234 of this title, or that provision of section 235 of this title which provides for retirement of officers after 30 years' service, shall be retired from active service with the highest grade held by him while on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, but not lower than his permanent grade, with retired pay of the grade with which retired.

"(b) Any commissioned warrant officer who is retired under any provision of section 564, 1263, 1293, or 1305 of title 10, shall be retired from active service with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

SEC. 2. (a) Title 14, United States Code, is amended by inserting the following new section after section 312:

"313a. Retirement in cases where higher grade has been held

"Any warrant officer, W–1, who is retired under any provisions of sections 564, 1263, 1293, or 1305 of title 10 shall be retired with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

(b) The analysis of chapter 11, title 14, United States Code, is amended by inserting the following item:

"313a. Retirement in cases where higher grade has been held."

SEC. 3. The analysis of chapter 11, title 14, United States Code, is amended by deleting the following items:

"303. Compulsory retirement at age 62.",

"304. Voluntary retirement after 30 years' service.",

"305. Voluntary retirement after 20 years' service.",

"307. Retirement upon recommendation of Personnel Board.",

"308. Pay upon involuntary retirement after 30 years' service,"; and

"313. Retirement in cases where higher grade has been held."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 5806) was laid on the table.

DEVELOPMENT OF PHOSPHATE ON THE PUBLIC DOMAIN

The Clerk called the bill (S. 334) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended (30 U. S. C. 184), in order to promote the development of phosphate on the public domain.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of section 27 of the act of February 25, 1920, as amended (30 U. S. C. 184), is amended by the deletion of the words "or permits exceeding in the aggregate 5,120 acres in any one State. and".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF FORMER MEMBERS OF COAST GUARD RESERVE

The Clerk called the bill (S. 1446) to amend title 14, United States Code, so as to provide for retirement of certain former members of the Coast Guard Reserve.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 755 of title 14, United States Code, is amended by adding thereto a new subsection (f) to read as follows:

"(f) Any former member of the Coast Guard Reserve, other than a temporary member, honorably discharged or discharged under honorable conditions from the Coast Guard Reserve after February 18, 1941, and before January 1, 1949, who at the time of his discharge had completed at least 30 years of active service in the Armed Forces other than active duty for training, or who had completed at least 20 years of active service other than active duty for training the last 10 of which he served in the 11-year period immediately preceding his discharge, shall upon his request be placed on the retired list of the Coast Guard Reserve and shall be entitled to pay, only after being placed on the retired list, at the rate of 50 percent of his active-duty rate of pay at the time of discharge.

With the following committee amendment:

On page 2, srike out lines 6, 7, and 8, and add the following: "shall be entitled to receive the same retired pay, only after being placed on the retired list, that he would be entitled to receive had he been retired as a member of the Naval Reserve under the Naval Reserve Act of 1938 instead of being discharged."

The committee amendment was agreed to.

The bill was ordered to be read a third time was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF CERTAIN FEDERAL PROPERTY

The Clerk called the bill (S. 1574) to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM of Iowa. Mr. Speaker, at the request of my colleague, the gentleman from Iowa [Mr. JENSEN], I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

INTERSTATE COMPACTS DEALING WITH JUVENILES AND DELINQUENT JUVENILES

The Clerk called the joint resolution (H. J. Res. 10) to give the consent of the Congress to interstate compacts or agreements dealing with juveniles and delinquent juveniles, and for other purposes.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That title 4 of the United States Code is amended by adding after section 111, the following section:

"§ 112. Compacts between States for cooperation in dealing with juveniles and delinquent juveniles; consent of Congress

"The consent of Congress is hereby given to any two or more States, including the Territories or possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, to enter into agreements or compacts dealing with—

"(a) the supervision by the authorities of one State of juveniles who have been placed on probation or parole by the authorities of another State, and for the detention and return of such juveniles;

"(b) the detention and return of juveniles who have run away from one State into another without the consent of their parents or guardian, or who have run away from one State into another and are charged with being delinquent by reason of a violation of any criminal law;

"(c) the detention and return of juveniles who have been found to be delinquent by a court in one State, who are placed on probation or parole or whose legal custody is vested in an agency or institution of that State, and who, while still on probation or parole or while their legal custody is still vested in such agency or institution, run away without permission to another State; and

"(d) the joint or cooperative care, treatment, and rehabilitation of juveniles, who have been found to be delinquent by a court in one State, in specialized institutions for juveniles in another State."

SEC. 2. The right to withdraw the consent given herein and the right to alter, amend, or repeal this act, is expressly reserved.

SEC. 3. The analysis of chapter 4 immediately preceding section 101, title 4, of the United States Code, is amended by inserting after item 111 the following new item:

"112. Compacts between States for cooperating in dealing with juveniles and delinquent juveniles; consent of Congress."

With the following committee amendments:

Page 1, lines 8 and 9, strike out "two or more States, including" and insert "combination or combinations of the following States: Arkansas, California, Colorado, Connecticut, Florida, Indiana, Maine, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, Washington, Wisconsin, Wyoming, to."

Page 2, line 2, after "compacts" insert "among themselves."

Page 2, lines 10 to 12 strike out "charged with being delinquent by reason of a violation of any criminal law" and insert "alleged to be delinquent by reason of committing an act which would be a felony if committed by an adult."

Page 2, line 19 strike out "and" and insert "or."

The committee amendments were agreed to.

Mr. KEATING. Mr. SPEAKER, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, the purpose of House Joint Resolution 10 is to give the consent of Congress to interstate compacts dealing with juveniles and delinquent juveniles.

This country today is faced with a tremendous problem in the handling of crimes committed by juveniles and in the rehabilitation of children who become involved in such crimes. It is a problem which is common to all of the States and there are many instances in which the States must cooperate in handling the problem of any one juvenile. For that reason a number of our States have entered into compacts with respect to the supervision, by the authorities of one State, over juveniles placed on probation or on parole by the authorities of another. These compacts also govern procedures for the retention and return of juveniles who have crossed State lines and who are alleged to be delinquent because they have committed an act which would have been a felony if committed by an adult. They also represent an effort on the part of the States to cooperate in the care, treatment, and rehabilitation of juveniles, found delinquent in one State, in specialized institutions for juveniles in another State.

Compacts and agreements such as these among the several States certainly constitute a progressive and constructive forward step in the solution of the problem of juvenile delinquency in the country. What House Joint Resolution 10 would do is put the stamp of Congressional approval upon this effort on the part of States.

While this legislation limits Congressional consent to those States which have already enacted laws adopting interstate compacts, it does not prevent other States from becoming parties to these compacts. It merely requires that other States adopt, in the future, legislation embodying a compact or agreement which would conform generally to this act, in order to gain Congressional consent.

I strongly urge the passage of this resolution, and it is my hope that, within the next few years, those States which have not already entered into such a compact will see fit to do so.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESERVATION OF UNUSED ACREAGE ALLOTMENTS

The Clerk called the bill (H. R. 8030) to amend the Agricultural Adjustment Act of 1938 with respect to acreage history.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 377 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 377. In any case in which, during any year within the period 1957 to 1959, inclusive, for which acreage planted to a commodity on any farm (including the

acreage regarded as planted to the commodity under the provisions of this title for releasing unused farm allotments and by reason of participation in the soil bank programs) is less than the acreage allotment for such farm, the entire acreage allotment for such farm (excluding any allotment released from the farm or reapportioned to the farm) shall be considered for purposes of future State, county, and farm acreage allotments to have been planted to such commodity in such year on such farm. Acreage history credits for released or reapportioned acreage shall be governed by the applicable provisions of this title pertaining to the release and reapportionment of acreage allotments. This section shall not be applicable in any case in which the amount of wheat or rice required to be stored to postpone or avoid payment of penalty has been reduced because the allotment was not fully planted."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPERGRADE POSITIONS IN NATIONAL SECURITY COUNCIL

The Clerk called the bill (S. 1884) to amend section 505 of the Classification Act of 1949, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 505 of the Classification Act of 1949, as amended, is amended by adding at the end thereof a new subsection as follows:

"(f) The National Security Council is authorized, subject to the procedures prescribed by this section, to place two additional positions in grade 18, one additional position in grade 17, and two additional positions in grade 16 of the general schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b)."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF EMPLOYMENT INEQUITIES FOR POSTAL FIELD SERVICE EMPLOYEES

The Clerk called the bill (H. R. 7930) to correct certain inequities resulting from the involuntary conversion of salaries of certain employees to the postal field service schedule under the Postal Field Service Compensation Act of 1955.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each employee—

(1) who is in the postal field service on the date of enactment of this section,

(2) whose basic salary was adjusted under section 304 of the Postal Field Service Compensation Act of 1955 (Public Law 68, 84th Cong.) and, immediately prior to such adjustment, was paid under the Classification Act of 1949, as amended, or under a prevailing wage schedule,

(3) who, prior to such adjustment of salary, had performed service which was creditable toward his next within-grade step-increase under section 701 (a) of the Classification Act of 1949, as amended, or under such prevailing wage schedule, and

(4) whose amount of increase in basic salary received upon adjustment of his basic salary under section 304 of the Postal Field Service Compensaiton Act of 1955 was less than the difference between the salary for that step of the grade of his position under the Classification Act of 1949, as amended, or of his position under such prevailing wage schedule, which he occupied immediately prior to such adjustment of salary and the salary at such time for the next higher step of such grade,

shall, for purposes of the first advancement by step-increase under and in accordance with section 401 of the Postal Field Service Compensation Act of 1955.

(A) have his anniversary date adjusted to the first day of his first pay period under such act which begins on or after the date on which he would have earned a within-grade step-increase under the Classification Act of 1949, as amended, or a within-grade step-increase under such prevailing wage schedule, if his position had remained subject to the Classification Act of 1949, as amended, or subject to such schedule, as the case may be, unless his anniversary date under the Postal Field Service Compensation Act of 1955 which is in effect on the date of enactment of this section occurs earlier than such adjusted anniversary date, and

(B) be paid, for all periods of service performed by him under the Postal Field Service Compensation Act of 1955 beginning on or after such adjusted anniversary date, the additional basic salary to which he becomes entitled under such act by reason of this section,

subject to and in accordance with the following requirements:

(i) that any advancement of such employee by step-increase under section 401 of such act which such employee may have received prior to the date of enactment of this section shall not be regarded as an equivalent increase in basic salary for purposes of such act, and

(ii) that the amount of additional basic salary to which such employee is entitled under clause (B) of this section is appropriately reduced by the amount of additional basic salary attributable to any advancement of such employee by step-increase under section 401 of such act prior to the date of enactment of this section.

With the following committee amendment:

Page 4, after line 2, add the following sections:

"SEC. 2. Section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 (69 Stat. 123; Public Law 68, 84th Congress; 39 U. S. C. 984 (c) (1)) is amended—

"(1) by striking out the word "and" immediately following the semicolon at the end of subparagraph (C) thereof;

"(2) by striking out the period at the end of subparagraph (D) thereof and inserting in lieu of such period a semicolon and the word "and"; and

"(3) by adding at the end of such section 404 (c) (1) the following new subparagraph:

"'(E) all time on the rolls under the Postal Accounts Division (including time on the rolls under the former Post Office Department Division) in the General Accounting Office continuous to the date of the transfer of the employee to the Post Office Department in accordance with section 7 (a) of the Post Office Department Financial Control Act of 1950 (39 U. S. C. 794e (a)).'

"SEC. 3. (a) The amendment made by section 2 of this act shall take effect as of December 3, 1955.

"(b) No payment of longevity compensation shall be made, by reason of the amendment made by section 2 of this act and the provisions of subsection (a) of this section, for any period prior to the date of enactment of this section, to any person who is not an employee in the post field service on such date of enactment."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to correct certain inequities with respect to automatic step-increase anniversary dates and longevity step increases of postal field service employees."

A motion to reconsider was laid on the table.

RATES OF TOLL ON BRIDGE ACROSS MISSOURI RIVER NEAR RULO, NEBR.

The Clerk called the bill (H. R. 988) to amend the act of March 4, 1933, to extend by 10 years the period prescribed for determining the rates of toll to be charged for use of the bridge across the Missouri River near Rulo, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (e) of section 5 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States," approved March 4, 1933 (47 Stat. 1556), as amended by the act of June 19, 1948 (62 Stat. 497), is further amended (1) by striking out "and financing" and inserting ", financing, and refinancing," and (2) by striking out "30 years" and inserting "40 years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABBREVIATED RECORDS IN REVIEWING ADMINISTRATIVE AGENCY PROCEEDINGS

The Clerk called the bill (H. R. 6788) to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the analysis of chapter 133 of title 28 of the United States Code, immediately preceding section 2101 of such title, is amended by inserting at the end thereof the following additional item:

"2112. Record on review and enforcement of agency orders

"SEC. 2. Chapter 133 of title 28 of the United States Code is amended by inserting at the end of such chapter immediately following section 2111 an additional section, as follows:

"§ 2112. Record on review and enforcement of agency orders

"(a) The several courts of appeals shall have power to adopt, with the approval of the Judicial Conference of the United States, rules prescribing the time and manner of filing and the contents of the record in all proceedings instituted in the courts of appeals to enjoin, set aside, suspend, modify, or otherwise review or enforce orders of administrative agencies, boards, commissions, and officers, in which the applicable statute does not specifically prescribe such time or manner of filing or

contents of the record. Such rules may authorize the agency, board, commission, or officer to file in the court a certified list of the materials comprising the record and retain and hold for the court all such materials and transmit the same or any part thereof to the court, when and as required by it, at any time prior to the final determination of the proceeding. The record in such proceedings shall be certified and filed in or held for the court of appeals by the agency, board, commission, or officer concerned within the time and in the manner prescribed by such rules. If proceedings have been instituted in two or more courts of appeals with respect to the same order the agency, board, commission, or officer concerned shall file the record in that one of such courts in which in its judgment the proceedings may be carried on with the greatest convenience to all the parties involved. The other courts in which such proceedings are pending shall thereupon transfer them to the court of appeals in which the record has been filed.

"(b) The record to be filed in the court of appeals in such a proceeding shall consist of the order sought to be reviewed or enforced, the findings or report upon which it is based, and the pleadings, evidence, and proceedings before the agency, board, commission, or officer concerned, or such portions thereof (1) as the said rules of the court of appeals may require to be included therein, or (2) as the agency, board, commission, or officer concerned, the petitioner for review or respondent in enforcement, as the case may be, and any intervenor in the court proceeding by written stipulation filed with the agency, board, commission, or officer concerned or in the court in any such proceeding may consistently with the rules of such court designate to be included therein, or (3) as the court upon motion of a party or, after a prehearing conference, upon its own motion may by order in any such proceeding designate to be included therein. Such a stipulation or order may provide in an appropriate case that no record need be filed in the court of appeals. If, however, the correctness of a finding of fact by the agency, board, commission, or officer is in question all of the evidence before the agency, board, commission, or officer shall be included in the record except such as the agency, board, commission, or officer concerned, the petitioner for review or respondent in enforcement, as the case may be, and any intervenor in the court proceeding by written stipulation filed with the agency, board, commission, or officer concerned or in the court agree to omit as wholly immaterial to the questioned finding. If there is omitted from the record any portion of the proceedings before the agency, board, commission, or officer which the court subsequently determines to be necessary for it to consider to enable it to review or enforce the order in question the court may direct that such additional portion of the proceedings be filed as a supplement to the record. If the rules of the court of appeals in which a proceeding is pending do not require the printing of the entire record in that court the agency, board, commission, or officer concerned may, at its option and without regard to the foregoing provisions of this subsection, file in the court the entire record of the proceedings before it without abbreviation.

"(c) The agency, board, commission, or officer concerned may transmit to the court of appeals the original papers comprising the whole or any part of the record or any supplemental record, otherwise true copies of such papers certified by an authorized officer or deputy of the agency, board, commission, or officer concerned shall be transmitted. Any original papers thus transmitted to the court of appeals shall be returned to the agency, board, commission, or officer concerned upon the final determination of the review or enforcement proceeding. Pending such final determination any such papers may be returned by the court temporarily to the custody of the agency, board, commission, or officer concerned if needed for the transaction of the public business. Certified copies of any papers included in the record or any supplemental record may also be returned to the agency, board, commission, or officer concerned upon the final determination of review proceedings."

SEC. 3. (a) The sixth sentence of subsection (b) of section 5 of the Federal Trade Commission Act, as amended (52 Stat. 112), is amended to read as follows: "Until the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time, or, if a petition for review has been filed within such time then until the record in the proceeding has been filed in a court of appeals of the United States, as hereinafter provided, the Commission may at any time, upon such notice and in such manner as it shall deem proper, modify, or set aside, in whole or in part, any report or any order made or issued by it under this section."

(b) The second and third sentences of subsection (c) of section 5 of the Federal Trade Commission Act, as amended (52 Stat. 112–113), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission, and thereupon the Commission shall file in the court the record in the proceeding, as provided in section 2112 of title 28, United States Code. Upon such filing of the petition the court shall have jurisdiction of the proceeding and of the question determined therein and shall have power to make and enter a decree affirming, modifying, or setting aside the order of the Commission, and enforcing the same to the extent that such order is affirmed and to issue such writs as are ancillary to its jurisdiction or are necessary in its judgment to prevent injury to the public or to competitors pendente lite.."

(c) Subsection (d) of section 5 of the Federal Trade Commission Act, as amended (52 Stat. 113), is amended to read as follows:

"(d) Upon the filing of the record with it the jurisdiction of the court of appeals of the United States to affirm, enforce, modify, or set aside orders of the Commission shall be exclusive."

SEC. 4. (a) The sixth sentence of the second paragraph of section 11 of the act of October 15, 1914, as amended (64 Stat. 1127), is amended to read as follows: "Until the record in such hearing shall have been filed in a United States court of appeals, as hereinafter provided, the Commission or Board may at any time, upon such notice, and in such manner as it shall deem proper, modify or set aside, in whole or in part, any report or any order made or issued by it under this section."

(b) The first and second sentences of the third paragraph of section 11 of the act of October 15, 1914, as amended (64 Stat. 1127), are amended to read as follows: "If such person fails or neglects to obey such order of the Commission or Board while the same is in effect, the Commission or Board may apply to the United States court of appeals, within any circuit where the violation complained of was or is being committed or where such person resides or carries on business, for the enforcement of its order, and shall file the record in the proceeding, as provided in section 2112 of title 28, United States Code. Upon such filing of the application the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to make and enter a decree affirming, modifying, or setting aside the order of the Commission or Board."

(c) The second and third sentences of the fourth paragraph of section 11 of the act of October 15, 1914, as amended (64 Stat. 1128), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission or Board and thereupon the Commission or Board shall file in the court the record in the proceeding, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have the same jurisdiction to affirm, set aside, or modify the order of the Commission or Board as in the case of an application by the Commission or Board for the enforcement of its order, and the findings of the Commission or Board as to the facts, if supported by substantial evidence, determined as provided in section 10 (e) of the Administrative Procedure Act, shall in like manner be conclusive."

(d) The fifth paragraph of section 11 of the act of October 15, 1914, as amended (64 Stat. 1128), is amended to read as follows:

"Upon the filing of the record with it the jurisdiction of the United States court of appeals to enforce, set aside, or modify orders of the Commission or Board shall be exclusive."

SEC. 5. The fourth and fifth sentences of the first paragraph of section 2 of the act of July 28, 1916 (39 Stat. 425), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Post Office Department and thereupon the said Department shall file in the court the record, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction to affirm, set aside or modify the order of the Department."

SEC. 6. (a) Subsection (c) of section 203 of the Packers and Stockyards Act 1921 (42 Stat. 162) is amended to read as follows:

"(c) Until the record in such hearing has been filed in a court of appeals of the United States as provided in section 204 the Secretary at any time upon such notice and in such manner as he deems proper but only after reasonable opportunity to the packer to be heard may amend or set aside the report or order in whole or in part."

(b) Subsections (b) and (c) of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162), are amended to read as follows:

"(b) The clerk of the court shall immediately cause a copy of the petition to be delivered to the Secretary, and the Secretary shall thereupon file in the court the record in such proceedings, as provided in section 2112 of title 28, United States Code. If before such record is filed the Secretary amends or sets aside his report or order, in whole or in part, the petitioner may amend the petition within such time as the court may determine, on notice to the Secretary.

"(c) At any time after such petition is filed, the court, on application of the Secretary, may issue a temporary injunction, restraining, to the extent it deems proper, the packer and his officers, directors, agents, and employees, from violating any of the provisions of the order pending the final determination of the appeal."

(c) The first sentence of subsection (h) of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162), is amended to read as follows:

"(h) The court of appeals shall have jurisdiction, which upon the filing of the record with it shall be exclusive, to review, and to affirm, set aside, or modify, such orders of the Secretary, and the decree of such court shall be final except that it shall be subject to review by the Supreme Court of the United States upon certiorari, as provided in section 1254 of title 28, if such writ is duly applied for within 60 days after entry of the decree."

SEC. 7. (a) The third sentence of paragraph (a) of section 6 of the Commodity Exchange Act (42 Stat. 1001), is amended

to read as follows: "The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, Chairman of said Commission, or any member thereof, and the said Commission shall thereupon file in the court the record in such proceedings, as provided in section 2112 of title 28, United States Code.

(b) The seventh and eighth sentences of paragraph (b) of section 6 of the Commodity Exchange Act (42 Stat. 1002), as amended, are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary of Agriculture and thereupon the Secretary of Agriculture shall file in the court the record theretofore made, as provided in section 2112 of title 28, United State Code. Upon the filing of the petition the court shall have jurisdiction to affirm, to set aside, or modify the order of the Secretary of Agriculture, and the findings of the Secretary of Agriculture as to the facts, if supported by the weight of evidence, shall in like manner be conclusive."

SEC. 8. The third and fourth sentences of the second paragraph of subsection (b) of section 641 of the Tariff Act of 1930, as amended (49 Stat. 865), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary of the Treasury, or any officer designated by him for that purpose, and thereupon the Secretary of the Treasury shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part."

SEC. 9. The second sentence of subsection (a) of section 9 of the Securities Act of 1933 (48 Stat. 80) is amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code."

SEC. 10. The second and third sentences of subsection (a) of section 25 of the Securities Exchange Act of 1934 (48 Stat. 901) are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Commission, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction, to affirm, modify, and enforce or set aside such order, in whole or in part."

SEC. 11. The third sentence of subsection (c) of section 18 of the act of June 18, 1934 (48 Stat. 1002), is amended to read as follows: "The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Board and it shall thereupon file in the court the record in the proceedings held before it under this section, as provided in section 2112 of title 28, United States Code."

SEC. 12. The second sentence of subsection (d) of section 402 of the Communications Act of 1934, as amended (66 Stat. 719), is amended to read as follows: "Within 30 days after the filing of an appeal, the Commission shall file with the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code."

SEC. 13. (a) Subsection (d) of section 10 of the National Labor Relations Act, as amended (61 Stat. 147), is amended to read as follows:

"(d) Until the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it."

(b) The first, second, fifth, and seventh sentences of subsection (e) of section 10 of the National Labor Relations Act, as amended (61 Stat. 147), are amended to read as follows:

"(e) The Board shall have power to petition any court of appeals of the United States, or if all the courts of appeals to which application may be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall file in the court the record in the proceedings, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. * * * If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its members, agent, or agency, the court may order such additional evidence to be taken before the Board, its members, agent, or agency, and to be made a part of the record. * * * Upon the filing of the record with it the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals if application was made to the district court as hereinafter provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in section 1254 of title 28."

(c) The second and third sentences of subsection (f) of section 10 of the National Labor Relations Act, as amended (61 Stat. 148), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Board, and thereupon the aggrieved party shall file in the court the record in the proceeding, certified by the Board, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall proceed in the same manner as in the case of an application by the Board under subsection (e) of this section, and shall have the same jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; the findings of the Board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive."

SEC. 14. The third and fourth sentences of subsection (h) of section 4 of the Federal Alcohol Administration Act (49 Stat. 980), as amended, are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part."

SEC. 15. The second and third sentences of subsection (a) of section 24 of the Public Utility Holding Company Act of 1935 (49 Stat. 834), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Commission, or any officer thereof designated by the Commission for that purpose, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part."

SEC. 16. (a) Subsection (a) of section 313 of the Federal Power Act, as amended (49 Stat. 860), is amended by inserting at the end thereof an additional sentence reading as follows: "Until the record in a proceeding shall have been filed in a court of appeals, as provided in subsection (b), the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify, or set aside, in whole or in part, any find or order made or issued by it."

(b) The second and third sentences of subsection (b) of section 313 of the Federal Power Act, as amended (49 Stat. 860), are amended to read as follows: "A copy of such petition shall forthwith be transmitted by the clerk of the court to any member of the Commission and thereupon the Commission shall file with the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have jurisdiction, which upon the filing of the record with it shall be exclusive, to affirm, modify, or set aside such order in whole or in part."

SEC. 17. The second and third sentences of subsection (b) of section 611 of the Merchant Marine Act, 1936, as amended (52 Stat. 961), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Board, or any officer thereof designated by the Board for that purpose, and thereupon the Board shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to determine whether such cancellation or default was without just cause, and to affirm or set aside such order."

SEC. 18. Subsection (c) of section 1006 of the Civil Aeronautics Act of 1938 (52 Stat. 1024), is amended to read as follows:

"(c) A copy of the petition shall, upon filing, be forthwith transmitted to the Board by the clerk of the court; and the Board shall thereupon file in the court the record, if any, upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code."

SEC. 19. (a) Subsection (a) of section 19 of the Natural Gas Act (52 Stat. 831), is amended by inserting at the end thereof an additional sentence reading as follows: "Until the record in a proceeding shall have been filed in a court of appeals, as provided in subsection (b), the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it."

(b) The second and third sentences of subsection (b) of section 19 of the Natural Gas Act (52 Stat. 831), are amended to read as follows: "A copy of such petition shall forthwith be transmitted by the clerk of the court to any member of the Commission and thereupon the Commission shall file

with the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have jurisdiction, which upon the filing of the record with it shall be exclusive, to affirm, modify, or set aside such order in whole or in part."

SEC. 20. (a) The first and second sentences of paragraph (2) of subsection (i) of section 408 of the Federal Food, Drug, and Cosmetic Act, as added by the act of July 22, 1954 (ch. 559, 68 Stat. 515), are amended to read as follows:

"(2) In the case of a petition with respect to an order under subsection (d) (5) or (e), a copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part."

(b) The first and second sentences of paragraph (3) of subsection (i) of section 408 of the Federal Food, Drug, and Cosmetic Act, as added by the act of July 22, 1954 (ch. 559, 68 Stat. 515), are amended to read as follows:

"(3) In the case of a petition with respect to an order under subsection (1), a copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary of Agriculture, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part."

SEC. 21. The third sentence of paragraph (1) of subsection (f) of section 701 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1055), as amended, is amended to read as follows: "The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28, United States Code."

SEC. 22. The second and third sentences of subsection (a) of section 10 of the Fair Labor Standards Act of 1938 (52 Stat. 1065), as amended, are amended to read as follows: "A copy of such petition shall forthwith be transmitted by the clerk of the court to the Secretary, and thereupon the Secretary shall file in the court the record of the industry committee upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order in whole or in part, so far as it is applicable to the petitioner."

SEC. 23. The fourth, fifth, sixth, and eighth sentences of subsection (f) of section 5 of the Railroad Unemployment Insurance Act, as amended (52 Stat. 1100), are amended to read as follows: "Within 15 days after receipt of service, or within such additional time as the court may allow, the Board shall file with the court in which such petition has been filed the record upon which the findings and decision complained of are based, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have exclusive jurisdiction of the proceeding and of the question determined therein, and shall give precedence in the adjudication thereof over all other civil cases not otherwise entitled by law to precedence. It shall have power to enter a decree affirming, modifying, or reversing the decision of the Board, with or without remanding the cause for rehearing. * * * No additional evidence shall be received by the court, but the court may order additional evidence to be taken before the Board, and the Board may, after hearing such additional evidence, modify its findings of fact and conclusions and file such additional or modified findings and conclusions with the court, and the Board shall file with the court the additional record."

SEC. 24. (a) Subsection (c) of section 409 of the Federal Seed Act (53 Stat. 1287), is amended to read as follows:

"(c) Until the record in such hearing has been filed in a court of appeals as provided in section 410, the Secretary of Agriculture at any time, upon such notice and in such manner as he deems proper, but only after reasonable opportunity to the person to be heard, may amend or set aside the report or order, in whole or in a part."

(b) The second and third paragraphs of section 410 of the Federal Seed Act (53 Stat. 1288), are amended to read as follows:

"The clerk of the court shall immediately cause a copy of the petition to be delivered to the Secretary, and the Secretary shall thereupon file in the court the record in such proceedings, as provided in section 2112 of title 28, United States Code. If before such record is filed, the Secretary amends or sets aside his report or order, in whole or in part, the petitioner may amend the petition within such time as the court may determine, on notice to the Secretary.

"At any time after such petition is filed the court, on application of the Secretary, may issue a temporary injunction restraining, to the extent it deems proper, the person and his officers, directors, agents, and employees from violating any of the provisions of the order pending the final determination of the appeal."

(c) The first and second sentences of section 411 of the Federal Seed Act (53 Stat. 1288), are amended to read as follows:

"SEC. 411. If any person against whom an order is issued under section 409 fails to obey the order, the Secretary of Agriculture, or the United States, by its Attorney General, may apply to the court of appeals of the United States, within the circuit where the person against whom the order was issued resides or has his principal place of business, for the enforcement of the order, and shall file the record in such proceedings, as provided in section 2112 of title 28, United States Code. Upon such filing of the application the court shall cause notice thereof to be served upon the person against whom the order was issued."

SEC. 25. The second and third sentences of subsection (a) of section 43 of the Investment Company Act of 1940, as amended (54 Stat. 844), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Commission or any officer thereof designated by the Commission for that purpose, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction, to affirm, modify, or set aside such order, in whole or in part."

SEC. 26. The second and third sentences of subsection (a) of section 213 of the Investment Advisers Act of 1940, as amended (54 Stat. 855), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to any member of the Commission, or any officer thereof designated by the Commission for that purpose, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part."

SEC. 27. (a) The third sentence of paragraph (1) of subsection (b) of section 632 of the act of July 1, 1944, as added by the Hospital Survey and Construction Act (60 Stat. 1048), is amended to read as follows:

"The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code."

(b) The first sentence of paragraph (2) of subsection (b) of section 632 of the act of July 1, 1944, as added by the Hospital Survey and Construction Act (60 Stat. 1048), is amended to read as follows:

"(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings."

SEC. 28. The fourth sentence of subsection (c) of section 205 of the Sugar Act of 1948 (61 Stat. 927), is amended to read as follows: "Within 30 days after the filing of said appeal the Secretary shall file with the court the record upon which the decision complained of was entered, as provided in section 2112 of title 28, United States Code, and a list of all interested persons to whom he has mailed or otherwise delivered a copy of said notice of appeal."

SEC. 29. The second and third sentences of subsection (a) of section 14 of the Internal Security Act of 1950 (64 Stat. 1001), are amended to read as follows: "A copy of such petition shall be forthwith transmitted by the clerk of the court to the Board, and thereupon the Board shall file in the court the record in the proceeding, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Board; but the court may in its discretion and upon its own motion transfer any action so commenced to the United States Court of Appeals for the circuit wherein the petitioner resides."

SEC. 30. (a) Subsection (e) of section 110 of the Internal Security Act of 1950 (64 Stat. 1028), is amended to read as follows:

"(e) Until the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it."

(b) The third and fifth sentences of subsection (c) of section 111 of the Internal Security Act of 1950 (64 Stat. 1028), are amended to read as follows: "The Board shall thereupon file in the court the record of the proceedings before the Board with respect to the matter concerning which judicial review is sought, as provided in section 2112 of title 28, United States Code. * * * Upon the filing of such petition the court shall have jurisdiction of the proceeding, which upon the filing of the record with it shall be exclusive, and shall have power to affirm, modify, or set aside, or to enforce or enforce as modified the order of the Board."

(c) The first sentence of subsection (d) of section 111 of the Internal Security Act of 1950 (60 Stat. 1029), is amended to read as follows:

"(d) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board or its hearing examiner, the court may order such additional evidence to be taken before the

Board or its hearing examiner and to be made a part of the record."

SEC. 31. (a) Section 6 of the act of December 29, 1950 (64 Stat. 1130), is amended to read as follows:

"SEC. 6. Unless the proceeding has been terminated on a motion to dismiss the petition, the agency shall file in the office of the clerk of the court of appeals in which the proceeding is pending the record on review, as provided in section 2112 of title 28, United States Code."

(b) The second sentence of subsection (c) of section 7 of the act of December 29, 1950 (64 Stat. 1131), is amended to read as follows: "The agency may modify its findings of fact, or make new findings, by reason of the additional evidence so taken and may modify or set aside its order and shall file in the court such additional evidence, such modified findings or new findings, and such modified order or the order setting aside the original order."

SEC. 32. The second and third sentences of subsection (b) of section 208 of the Federal Coal Mine Safety Act, as amended (66 Stat. 702), are amended to read as follows: "Upon receipt of such copy of a notice of appeal the Board shall file in such court the record upon which the order complained of was made, as provided in section 2112 of title 28, United States Code. The costs of certifying and filing such record shall be paid by the party making such appeal."

SEC. 33. The fifth and sixth sentences of subsection (b) of section 207 of the International Claims Settlement Act of 1949, as amended (69 Stat. 564), are amended to read as follows: "Such petition for review must be filed within 60 days after the date of mailing of the final order of denial by said designee and a copy shall forthwith be transmitted to the said designee by the clerk of the court. Within 45 days after receipt of such petition for review, or within such further time as the court may grant for good cause shown, said designee shall file an answer thereto, and shall file with the court the record of the proceedings with respect to such claim, as provided in section 2112 of title 28, United States Code."

SEC. 34. The second and third sentences of section 9 of the Bank Holding Company Act of 1956 (70 Stat. 138) are amended to read as follows: "A copy of such petition shall be forthwith transmitted to the Board by the clerk of the court, and thereupon the Board shall file in the court the record made before the Board, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction to affirm, set aside, or modify the order of the Board and to require the Board to take such action with regard to the matter under review as the court deems proper."

SEC. 35. This act shall not be construed to repeal or modify any provision of the Administrative Procedure Act.

With the following committee amendments:

Page 2, line 8, strike out "rules" and insert "rules, which so far as practicable shall be uniform in all such courts."

Page 2, line 12, strike out "in which" and insert "to the extent that."

Page 2, line 20, after "proceeding," change the period to a comma and add "and such filing of such certified list of the materials comprising the record and such subsequent transmittal of any such materials when and as required shall be deemed full compliance with any provision of law requiring the filing of the record in the court."

Page 2, line 21, after "for", add "and transmitted to".

Page 3, line 2, after "which", strike out "in its judgment the proceedings may be carried on with the greatest convenience to all the parties involved" and insert "a proceeding with respect to such order was first instituted".

Page 3, line 6, after "filed.", add "For the convenience of the parties in the interest of justice such court may thereafter transfer all the proceedings with respect to such order to any other court of appeals."

Page 4, line 11, strike "necessary" and insert "proper."

Page 4, line 15, strike "If the rules of the court of appeals in which a proceeding is pending do not require the printing of the entire record in that court the" and insert "The".

Page 4, line 19, after "subsection" insert "and if so requested by the petitioner for review or respondent in enforcement shall,".

Page 5, line 13, at the end of the line strike "proceedings" and insert "or enforcement proceedings."

Page 5, between lines 13 and 14, insert a new subsection:

"(d) The provisions of this section are not applicable to proceedings to review decisions of the Tax Court of the United States or to proceedings to review or enforce these orders of administrative agencies, boards, commissions, or officers which are by law reviewable or enforceable by the district courts."

Page 6, line 10, after "therein", insert "concurrently with the Commission until the filing of the record,".

Page 7, line 21, after "therein", strike the comma and insert "concurrently with the Commission or Board until the filing of the record,".

Page 9, line 16, after "Subsections", strike "(b) and (c)" and insert "(b), (c), and (d)".

Page 10, between lines 8 and 9, insert a new subsection:

"(d) The evidence so taken or admitted, and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The proceedings in such cases in the court of appeals shall be made a preferred cause and shall be expedited in every way."

Page 10, line 20, strike "third sentence" and insert "third and fourth sentences."

Page 10, line 21, strike out "is" and insert "are".

Page 11, line 3, after "Code.," add "The testimony and evidence taken or submitted before the said Commission, duly filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case."

Page 12, lines 18 and 19, strike "exclusive jurisdiction," and insert "jurisdiction, which upon the filing of the record shall be exclusive,".

Page 14, line 21, strike "members" and insert "member".

Page 14, line 23, strike "members" and insert "member".

Page 16, line 21, strike "exclusive jurisdiction" and insert "jurisdiction, which upon the filing of the record shall be exclusive,".

Page 17, line 5, strike "find" and insert "finding".

Page 17, line 6, after "it," strike the period and insert "under the provisions of this act."

Page 17, line 22, strike "Board" and insert "Commission."

Page 17, line 23, strike "Board" and insert "Commission."

Page 17, line 24, strike "Board" and insert "Commission."

Page 18, line 22, after "it", strike the period and insert "under the provisions of this act."

Page 19, line 18, after "in," insert "the court."

Page 20, line 13, strike "The third sentence" and insert "(a) The second and third sentences."

Page 20, line 15, strike "is" and insert "are."

Page 20, line 16, after "follows:", insert "A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose."

Page 20, between lines 19 and 20 insert the following paragraph:

"(b) The first sentence of paragraph (3) of subsection (f) of section 701 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1055), as amended, is amended to read as follows: 'Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the order, or to set it aside in whole or in part, tempararily or permanently'."

Page 22, line 13, after "The" strike "second and third" and insert "second, third, and fourth."

Page 23, between lines 4 and 5, insert a new paragraph as follows:

"The evidence so taken or admitted and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The proceedings in such cases in the court of appeals shall be made a preferred cause and shall be expedited in every way."

Page 24, line 4, strike "exclusive jurisdiction" and insert "jurisdiction, which upon the filing of the record shall be exclusive,".

Page 24, lines 15 and 16, strike "exclusive jurisdiction" and insert "jurisdiction, which upon the filing of the record shall be exclusive,".

Page 24, line 18, after "(a)" strike "The third sentence of paragraph" and insert "Paragraph."

Page 24, line 21, after the colon insert the following subsection:

"(b) (1) If the Surgeon General refuses to approve any application under section 625 or section 654, the State agency through which the application was submitted, or if any State is dissatisfied with the Surgeon General's action under subsection (a) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Surgeon General, or any officer designated by him for that purpose."

Page 28, line 4, strike out all of section 32 and insert in lieu thereof:

"Subsection (b) of section 207 of the act of September 23, 1950, as amended (64 Stat. 974), is amended by adding at the end of that subsection three additional sentences reading as follows: 'The local educational agency affected may file with the court a petition to review such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. Upon the filing of the petition the court shall have jurisdiction to affirm or set aside the action of the Commissioner in whole or in part'."

Page 20, line 4, strike the figure "(1)" and insert the letter "(1)."

Page 22, line 12, strike "a" immediately before "part."

Page 26, line 23, insert a period immediately after "Code."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF ESLER FIELD TO RAPIDES, LA.

The Clerk called the bill (H. R. 2816) to provide for the conveyance of Esler Field, La., to the Parish of Rapides in the

State of Louisiana, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to sections 2 and 3, the Secretary of the Army shall convey, without monetary consideration, to the parish of Rapides in the State of Louisiana, all the right, title, and interest of the United States in and to the real property comprising Esler Field, La., described as a tract of land situated in the parish of Rapides, State of Louisiana, and being part of sections 21, 22, and 24 and part of fractional sections 23 and 38, township 5 north, range 2 east of the Louisiana meridian, and being more particularly described as follows:

Beginning at the southwest corner of said fractional section 23; thence north along the west line of said fractional section 23 and the west line of said section 22 to the west quarter corner thereof; thence east along the east and west quarter line of said section 22 and the east and west quarter line of said section 21 to the east quarter corner of said section 21; thence south along the east line of said section 21 and the east line of said section 24 to the southeast corner thereof; thence west along the south line of said section 24 and the south line of said fractional section 23 to its intersection with the east line of said fractional section 38; thence in the southeasterly direction along the east line of said fractional section 38 to a point on the north bank of the Bayou Flagon; thence in a general westerly direction along the said north bank of Bayou Flagon to its intersection with the west line of said fractional section 38; thence in a northwesterly direction along said west line of fractional section 38 to a point on the aforesaid south line of fractional section 23; thence west along the south line of said fractional section 23 to the point of beginning, containing 1,991.43 acres, more or less, together with all improvements thereon and appurtenances thereunto belonging.

SEC. 2. The conveyance authorized by this act shall—

(1) reserve to the United States all mineral rights, including gas and oil, in the property authorized to be conveyed by this act; and

(2) contain such other reservations, restrictions, terms, and conditions as the Secretary of the Army determines to be necessary to properly protect the interests of the United States.

SEC. 3. The conveyance authorized by this act shall be upon conditions that—

(1) such property shall be used as a public civil airport, and, if the parish of Rapides in the State of Louisiana, shall cease to use such property as a public airport for a period of 2 successive years, or more, then all the right, title, and interest in and to such real property shall revert to and become the property of the United States which shall have the immediate right of reentry thereon; and

(2) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the parish of Rapides, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus 6 months, such property shall revert to the parish of Rapides.

SEC. 4. The first action of the act entitled "An act to provide for the conveyance of Camp Livingston, Camp Beauregard, and Esler Field, La., to the State of Louisiana, and for other purposes," approved May 14, 1956 (70 Stat. 156; Public Law No. 521, 84th Cong.) is amended by striking out "Camp Livingston, Camp Beauregard, and Esler Field, La." and inserting in lieu thereof "Camp Livingston and Camp Beauregard, La."

With the following committee amendments:

Delete the period at the end of line 7, page 3, insert a comma and delete lines 11 through 16, and at the end of line 7 insert the following language: 'including (a) the nonexclusive use of the airport by transient military aircraft without charge; (b) the nonexclusive use of the airport by military aircraft without charge during periods of maneuvers in Louisiana; (c) the continued nonexclusive use of the airport, without charge, by the Louisiana National Guard; and (d) the continued use of space at the airport, without charge, by the Louisiana National Guard.

"(3) provide for a reverter to the United States at the election of the Secretary of the Army, for the breach of any of the terms and conditions by the parish of Rapides, its successors and assigns."

On page 3, line 10, delete the word "public" and insert in lieu thereof the word "civil."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 1552, TITLE 10, UNITED STATES CODE, AND SECTION 301 OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

The Clerk called the bill (H. R. 8772) to amend section 1552, title 10, United States Code and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I am advised by the leadership that this bill is scheduled for consideration under suspension. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DISPOSAL OF CERTAIN UNCOMPLETED NAVAL VESSELS

The Clerk called the bill (H. R. 8547) to authorize the disposal of certain uncompleted vessels.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CLARIFYING REEMPLOYMENT PROVISIONS OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Clerk called the bill (H. R. 8522) to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the Universal Military Training and Service Act, as amended (50 U. S. C. App. 459), is amended as follows:

(1) By adding the following words at the end of paragraph (A) of subsection (b): "unless his restoration under subparagraph (i) or (ii) of this paragraph would require the separation of an employee with a higher standing for reduction in force purposes."

(2) By adding the following new paragraph at the end of subsection (e):

"(4) Any person who is restored to a position in accordance with the provisions of paragraph (A) of subsection (b) may be included in a reduction in force at any time in accordance with rules applicable to all other employees."

(3) By inserting in paragraph (2) of subsection (g) the words "and other than for training" after the words "physical fitness" in the parenthetical phrase thereof.

(4) By amending paragraph (3) of subsection (g) to read as follows:

"(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than 3 consecutive months shall, upon application for reemployment within 60 days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or 1 year after his scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within 6 months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the Veterans' Preference Act of 1944, as amended (5 U. S. C. 851 and the following)."

(5) By adding the following new paragraphs at the end of subsection (g):

"(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be permitted by his employer to report for the purpose of being inducted into, entering, determining his physical fitness to enter, or performing active duty for training or inactive-duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive-duty training, or upon his rejection, or upon his discharge from hospitalization incident to that training or rejection, such employee shall be reinstated in his position with such seniority, status, pay, and vacation as he would have had if he had not been absent for such purposes, if he applies for reinstatement at the beginning of his next regularly scheduled working period after expiration of the time necessary to travel from the place of rejection or training to the place of employment following his rejection or release, or within a reasonable time thereafter. If that employee is hospitalized incident to active duty for training, inactive-duty training, or rejection, he shall be required to apply for reinstatement within a reasonable time

after the expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within one year after his rejection or release from active duty for training or inactive-duty training, whichever is earlier. If an employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive-duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay or the nearest approximation thereof consistent with the circumstances in his case.

"(5) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under sections 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive-duty training performed by that member under section 502 of title 32, or section 301 of title 37, United States Code, is considered inactive-duty training."

(6) By redesignating subsections (i) and (j) as "(j)" "(k)", respectively, and by inserting a new subsection "(i)", as follows:

"(i) No rights or remedies which would otherwise be available under this section shall be denied solely because a person has left or leaves a position in employment on probation."

SEC. 2. Section 262 (f) of the Armed Forces Reserve Act of 1952, as amended (50 U. S. C. 1013 (f)), is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURRENDER TREE SITE, SANTIAGO, CUBA

The Clerk called the bill (S. 1063) vesting in the American Battle Monuments Commission the care and maintenance of the Surrender Tree site in Santiago, Cuba.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba. This act takes effect on the next July 1 after the date of its enactment.

Mr. O'HARA of Illinois. Mr. Speaker, all this bill does is to transfer responsibility for the care and maintenance of the Surrender Tree site near Santiago, Cuba, from the Department of the Army to the American Battle Monuments Commission. The American Battle Monuments Commission is willing to accept responsibility for the maintenance of this memorial provided specific legislative authority be given. It is estimated that the enactment of this bill would result in an annual reduction of $1,000 of the Department of the Army's civil functions appropriation.

In 1905 and in 1907 Congress appropriated funds to erect memorials marking the places where American soldiers fell and were temporarily interred in Cuba and in China. One of the memorials stands near Santiago, Cuba, at a place known as the Surrender Tree site, and this memorial marks the spot where the preliminary surrender of the Spanish Army occurred on July 17, 1898. The 33d Michigan Volunteer Infantry was the second volunteer outfit to land in Cuba, following Roosevelt's Rough Riders by a matter of 2 or 3 days. It landed from small boats on the beach at Siboney, was engaged in scrimmaging during the last days of June 1898 and on July 1 and July 2 was heavily engaged at Auguadoras, on Shafter's extreme left, in the major frontal attack upon Santiago, which resulted in the city's surrender.

Yet when I returned in December of 1955 to the site of the fighting in which I as a boy of 16 had participated I found little record of the 33d Michigan Volunteer Infantry, and was shocked to find inscribed on a memorial tablet at Siboney a minor mention of the 33d Michigan Volunteers as having landed in Cuba on July 1, 1898. I was told that that memorial tablet had been standing at Siboney for many years. No one responsible for it had apparently taken the time and trouble to get the real facts and the real landing date of the first volunteer regiment next to the Rough Riders that landed in Cuba and was actively engaged during the entire period of combat.

Early in the morning of July 1, 1898, some of my buddies in the 33d Michigan, and they like myself were just boys from high school, were killed in action at the siege of Santiago, and I do not like a little bit the inscription on this memorial tablet at Siboney that they with others of the regiment at the time they were dying were just landing on Cuban soil.

Nor do I think it is a proper recognition of the 33d Michigan that among all of the monuments and memorials on San Juan Hill is none erected in memory of the first volunteer regiment next to the Rough Riders to land in Cuba. There are monuments there to other fine regiments, regiments that suffered heavy casualties because of disease, but which did not land in Cuba until after the hardest fighting was over and Santiago was about ready to surrender. But there is no monument for the 33d Michigan, and to me that is not just fair to the members of that regiment, most of whom now have passed on. The record of history at least should be accurate, and war memorials should be authentic.

The American Battle Monuments Commission has the statutory duty of erecting and maintaining memorials where the American Armed Forces have served, and it is the hope of this surviving veteran of the 33d Michigan that when the Commission takes over the care of the Surrender Tree site it will undertake a survey of the entire memorial situation in the Santiago area.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING PENALTIES FOR VIOLATION OF CERTAIN STATUTES ADMINISTERED BY THE ICC

The Clerk called the bill (S. 1492) increasing penalties for violation of certain safety and other statutes administered by the Interstate Commerce Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if I may have the attention of the chairman of the Committee on Interstate and Foreign Commerce. This bill and the bills on Calendar No. 173 and Calendar No. 174 all deal with subjects that relate to the Interstate Commerce Commission Act. I notice also in the report that there was registered before the committee some opposition to the bills by different interests that come under the control of the Interstate Commerce Commission. I am wondering whether the chairman of the committee feels that these bills should be considered on the Consent Calendar.

Mr. HARRIS. I fully realize the questions that will arise in the minds of Members when any amendment to the Interstate Commerce Act is considered. However, as to the bill now under consideration, after hearings and consideration we found that there was no opposition to it. It merely refers to a matter of increasing penalties with reference to safety compliance in the operation of common-carrier transportation.

Mr. BYRNES of Wisconsin. In the report there is a statement that the Association of American Railroads, the American Short Line Railroad Association, and the American Trucking Association, are opposed to the bill. That is the information I have.

Mr. HARRIS. The bill as introduced would have increased the penalty from the present $100 provision to a maximum of $500. During the course of the consideration of the bill that was compromised to $250, which I understood eliminated much of the objections to it.

Mr. BYRNES of Wisconsin. It was unanimously reported by the committee?

Mr. HARRIS. It was unanimously reported by the committee on that basis.

Mr. BYRNES of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Safety Appliance Acts, as amended (45 U. S. C. 1–16), are amended as follows:

(1) By striking in the first clause of section 6 of the Act of March 2, 1893 (27 Stat. 532), as amended (45 U. S. C. 6), the words "one hundred dollars" and substituting in lieu thereof the words "two hundred and fifty dollars"; and

(2) By striking in the first clause of section 4 of the Act of April 14, 1910 (36 Stat. 299; 45 U. S. C. 13), the words "one hundred dollars" and substituting in lieu thereof the words "two hundred and fifty dollars."

SEC. 2. Section 3 of the Hours of Service Act (34 Stat. 1416), as amended (45 U. S. C. 63), is amended by striking in the first clause of the first sentence thereof the amount of "$100" and substituting therefor the amount of "$200."

SEC. 3. Section 9 of the Locomotive Inspection Act (36 Stat. 916), as amended (45 U. S. C. 34), is amended by striking in the first clause thereof the words "one hundred dollars" and substituting therefor the words "two hundred and fifty dollars."

SEC. 4. Section 222 of the Interstate Commerce Act (49 Stat. 564), as amended (49 U. S. C. 322), is amended as follows:

(1) By striking in the first sentence of subsection (a) thereof the words "not more than $100 for the first offense and not more than $500 for any subsequent offense.", and substituting therefor the words "not less than $100 nor more than $500 for the first offense and not less than $200 nor more than $500 for any subsequent offense.", and

(2) By striking in subsection (c) thereof the words "not more than $500 for the first offense and not more than $2,000 for any subsequent offense." and substituting therefor the words "not less than $200 nor more than $500 for the first offense and not less than $250 nor more than $2,000 for any subsequent offense."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESERVATION OF COMPETITIVE THROUGH ROUTES FOR RAIL CARRIERS

The Clerk called the bill (H. R. 5384) to amend the Interstate Commerce Act to provide for the preservation of competitive through routes for rail carriers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I wonder if the chairman could advise me whether or not the Interstate Commerce Commission and the Association of American Railroads are still opposed to this bill.

Mr. HARRIS. There is a division of thinking with reference to this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FREIGHT FORWARDER PERMITS

The Clerk called the bill (S. 1383) amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, at the request of my colleague, the gentleman from Virginia [Mr. BROYHILL], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

VESSELS IN GREAT LAKES SHIPYARDS

The Clerk called the bill (H. R. 2397) to amend section 702 of the Merchant Marine Act, 1936, in order to authorize the construction, reconditioning, or remodeling of vessels under the provisions of such section in shipyards in the continental United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'NEILL. I object, Mr. Speaker.

Mr. BONNER. Mr. Speaker, will the gentleman withhold his objection so that I may explain it?

Mr. O'NEILL. Yes.

Mr. BONNER. This bill is merely to grant to shipyards on the Great Lakes a privilege that now exists in connection with shipyards on the coasts.

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INSPECTION AND CERTIFICATION OF CERTAIN VESSELS CARRYING PASSENGERS

The Clerk called the bill (H. R. 7494) to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SALE OF CERTAIN WAR-BUILT VESSELS

The Clerk called the joint resolution (H. J. Res. 370) to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the first sentence of Public Law 938, 84th Congress, chapter 904, 2d session, is amended by striking out the words "within one year after the enactment of this joint resolution" and substituting the following words "within two years after the enactment of this joint resolution."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES AIR FORCE ACADEMY

The Clerk called the bill (H. R. 8531 to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I do this primarily for the purpose of asking some member of the Committee on Armed Forces to explain the bill. I am sure the Members of the House will be interested in the provisions of this bill.

Mr. BROOKS of Louisiana. I shall be glad to explain the bill.

The Air Force Academy is being built in Colorado, as you know. We presently have a system of nominating appointees to the Academy which is an interim system; that is, each Congressman and Senator are allowed the privilege of nominating 10 names. These 10 nominees are required to take an examination in the States and a statewide list is made from which names are taken. A selection is made of the number eligible to go to the Academy from those nominees presented by each Member.

The bill now under consideration will last for 4 years. The idea of the present bill is to give the Members during this 4-year period a better control of the situation and to let us move to the time when the permanent system which is used in the Naval and Military Academies takes over. In this 4-year period of time, a Member will still be allowed to submit 10 names. Each Member of the House of Representatives and each Senator will be allowed to nominate one principal appointee. The principal appointee may make it, and if he does not, then the selection must be made from 1 of the 10 nominees. Each Member during this 4-year period will be allowed to appoint one person for a year. In other words, there will not be 4 members appointed initially. The Academy could not take care of them. There will be one man appointed each year from each Congressional district. In the event your principal appointee fails, then the selection will be made from 1 of the 10 whose names have been submitted by the Member.

Mr. BYRNES of Wisconsin. Will the gentleman state when this system is going to start?

Mr. BROOKS of Louisiana. Yes; it will begin in the year 1959. In 1958, you will actually make the nominations as indicated in this bill. So the bill will guarantee each Member one principal. Heretofore, each Member has not been guaranteed any person or one representative in the Academy. This will guarantee that each Member of Congress each year has one member in the Academy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FULTON. Mr. Speaker, I object.

CORREGIDOR-BATAAN MEMORIAL COMMISSION

The Clerk called the bill (H. R. 7535) to amend Public Law 298, 84th Congress, relating to the Corregidor-Bataan Memorial Commission, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING SECTION 218 (A) OF INTERSTATE COMMERCE ACT

The Clerk called the bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require carriers by motor vehicle to file with the

Interstate Commerce Commission their actual rates or charges for transportation services.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 218 (a) of the Interstate Commerce Act, as amended (49 U. S. C. 318 (a)), is further amended as follows:

(1) By striking from the second sentence thereof the words "the minimum rates or charges of such carrier actually maintained and charged" and substituting therefor the words "the actual rates or charges of such carrier," and by striking out the period at the end of such sentence and inserting in lieu thereof a colon and the following: "*Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than one year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges.";

(2) By striking from the third sentence the words "minimum charges" and substituting in lieu thereof the words "actual rates or charges";

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after thirty days' notice of the proposed change or new charge filed in the aforesaid form and manner".

(4) By changing the sixth sentence up to the proviso to read as follows: "No such carrier shall demand, charge, or collect compensation for such transportation different from the charges filed in accordance with this paragraph, as affected by any rule, regulation, or practice so filed, or less than the minimum rate or charge as may be prescribed by the Commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special services, facilities, or privileges, or by any other device whatsoever, to charge, accept, or receive compensation different from the actual rates and charges so filed, or less than the minimum charges so prescribed:"

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLES 10, 14, AND 32 UNITED STATES CODE

The Clerk called the bill (H. R. 8943) to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

(By unanimous consent (at the request of Mr. WILLIS), the printing of the bill was dispensed with.)

Mr. WILLIS. Mr. Speaker, I have several amendments to offer. I ask unanimous consent that they be considered en bloc.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. WILLIS: Page 44, line 17, strike out "(4) be recommended for appointment of the Surgeon General," and insert "(4) have such other qualifications as the Secretary of the Army prescribes after considering the recommendation, if any, of the Surgeon General."

Page 81, line 28, strike out "(4) be recommended for appointment by the Chief of the Bureau of Medicine," and insert "(4) have such other qualifications as the Secretary of the Navy prescribes after considering the recommendation, if any, of the Chief of the Bureau of Medicine and Surgery."

Page 85, line 35, strike out "date upon which he graduated from medical, or dental osteopathic", and insert "date upon which he graduated from medical, osteopathic, or dental."

Page 116, line 34, strike out "(4) be recommended for appointment by the Surgeon General", and insert "(4) have such other qualifications as the Secretary of the Air Force prescribes after considering the recommendation, if any, of the Surgeon General."

Page 125, line 20, strike out "officers who has been considered by a selection board for promotion for the first time under this chapter to the next grade higher than his", and insert "officers who has been considered, for the first time under this chapter, by a selection board for promotion to the next grade higher than his."

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I would like to ask the gentleman one question. Are these amendments committee amendments?

Mr. WILLIS. No, they are amendments which have been suggested by the Committee on Armed Services and have been cleared with our committee.

Mr. McCORMACK. In other words, the amendments have been cleared and while they are not an expression of the action of the committee, they are for all practical purposes committee amendments.

Mr. WILLIS. That is correct.

The SPEAKER. The question is on the amendments offered by the gentleman from Louisiana [Mr. WILLIS].

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECOND WORLD METALLURGICAL CONGRESS

The Clerk called the joint resolution (H. J. Res. 404) providing for the recognition and endorsement of the second World Metallurgical Congress.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the growing demand upon the metal resources of the world presents a problem prompting the most serious consideration among nations; and

Whereas a broader acquaintanceship with present day mineral resources and the means for conserving these diminishing resources is essential to the well-being of mankind; and

Whereas our own mineral resources being deficient in several vital minerals, the United States is faced with continued dependence upon overseas and other sources; and

Whereas the outlook for improvement in basic resources is not encouraging, there is need for broad scientific research and wide-scale exploration to effect discovery of new metals and metal resources; and

Whereas the free exchange of scientific information among the world's metallurgists will contribute to the betterment of this deficiency at home and abroad; and

Whereas the United States has a responsibility and an opportunity to provide vigorous leadership in the search for substitutes for critical resources in order to preserve these resources from complete exhaustion; and

Whereas the metal scientist is today accepting this challenge in good spirit and with efficient performance, contributing actively to the mastery of new wonder metals and the peacetime uses of the atom; and

Whereas the economic health of the world will be enhanced if the United States nurtures a friendly attitude toward worldwide scientific and industrial efforts; and

Whereas several hundred distinguished metal scientists from twoscore countries throughout the world will visit our shores in October and November of 1957 to participate in deliberations on metal resources and operations: Now, therefore, be it

Resolved, etc., That the Congress hereby extends its official welcome to the overseas metal scientists who will visit major American production centers and attend the World Metallurgical Congress, November 2, to 8, 1957, under the sponsorship of the American Society for Metals. The President is authorized and requested, by proclamation, or in such manner as he may deem proper, to grant recognition to the World Metallurgical Congress and the American Society for Metals for its instigation and sponsorship of this second world gathering of metal scientists, calling upon officials and agencies of the Government to assist and cooperate with such congress as occasion may warrant.

With the following committee amendment:

On page 2, lines 4 and 5, after the word "will" strike out the words "visit major American production centers and".

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 304 (D) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

The Clerk called the bill (H. R. 6456) to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (d) of section 304 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 334 (d)), is hereby amended by inserting immediately before the last sentence thereof a new sentence as follows: "If the article was imported into the United States and the person seeking its release establishes (1) that the adulteration, misbranding, or violation did not occur after the article was imported, and (2) that he had no cause for believing that it was adulterated, misbranded, or in violation before it was released from customs custody, the court may permit the article to be delivered to the owner for exportation in lieu of destruction upon a showing by the owner that all of the conditions of section 801 (d) can and will be met: *Provided, however*, That the provisions of this sentence shall not apply where condemnation is based

upon violation of section 402 (a) (1), (2), or (6), section 501 (a) (3), section 502 (j), or section 601 (a) or (d): *And provided further*, That where such exportation is made to the original foreign supplier, then clauses (1) and (2) of section 801 (d) and the foregoing proviso shall not be applicable; and in all cases of exportation the bond shall be conditioned that the article shall not be sold or disposed of until the applicable conditions of section 801 (d) have been met."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. LAWRENCE SEAWAY CELEBRATION

The Clerk called the joint resolution (H. J. Res. 408) authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway Celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the President of the United States is authorized, by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway Celebration, to be held in Chicago, Illinois, from January 1 to December 31, 1959, inclusive, for the purpose of promoting foreign and domestic commerce and of fostering good will among nations.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUED EXISTENCE OF BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY

The Clerk called the joint resolution (H. J. Res. 342) granting the consent of Congress to an agreement or compact between the State of New York and the Government of Canada providing for the continued existence of the Buffalo and Fort Erie Public Bridge Authority, and for other purposes.

The Clerk read the title of the joint resolution.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the consent of Congress is given to the State of New York to enter into the agreement or compact with the Government of Canada, which is set forth in chapter 259 of the laws of New York, 1957, and provides for the continuation of the Buffalo and Fort Erie Public Bridge Authority as a municipal instrumentality of such State, with power to maintain and operate the highway bridge over the Niagara River between the city of Buffalo in such State and the city of Fort Erie, Ontario, Canada.

SEC. 2. The joint resolution entitled "Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, New York, and the city of Fort Erie, Ontario, Canada," approved July 27, 1956 (70 Stat. 701), is repealed.

SEC. 3. The right to alter, amend, or repeal this joint resolution is expressly reserved.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OWNERSHIP TO ALLEGANY COUNTY, MD., OF BRIDGE LOANED BY BUREAU OF PUBLIC ROADS

The Clerk called the bill (H. R. 5264) to transfer ownership to Allegany County, Md., of a bridge loaned to such county by the Bureau of Public Roads.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AUTHORIZING PAYMENT OF TRANSPORTATION AND SUBSISTENCE COSTS TO TEMPORARY EMPLOYEES ON DIRECT FEDERAL HIGHWAY PROJECTS

The Clerk called the bill (S. 1941) to authorize the payment by the Bureau of Public Roads of transportation and subsistence costs to temporary employees on direct Federal highway projects.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That funds authorized to be appropriated under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, for direct Federal highway projects, and funds made available to the Bureau of Public Roads from other Federal agencies for such Federal projects shall be available, under regulations approved by the Secretary of Commerce, for payment of transportation expenses and per diem in lieu of subsistence expenses, in accordance with the Travel Expense Act of 1949, and the Standardized Travel Regulations insofar as consistent with this act, for travel of seasonable employees between points of hire and project locations and while performing duty at project locations.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING BANKRUPTCY ACT

The Clerk called the bill (H. R. 7671) to amend section 116 (4) of chapter 10 of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I note in the information at my disposal that there are no departmental reports on this proposed legislation. Can some member of the committee tell me why this does not appear?

Mr. DOWDY. Mr. Speaker, the CAB did not have time to make a formal report, but they came before our subcommittee and stated they were in favor of the enactment of this provision.

Mr. FORD. Did the CAB appear and testify favorably for this legislation?

Mr. DOWDY. No. They did not come over at the hearing, but they gave us the indication that they did favor it.

Mr. FORD. Does the gentleman have any idea how much is involved? You know we have certain dollar limitations on bills that can be considered on the Consent Calendar.

Mr. DOWDY. As far as the cost to the Government or taxpayers is concerned, there is nothing like that involved here. You probably know that the railroads have a provision in the law where they have equipment trusts. This gives the same thing to these little airways.

Mr. FORD. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection.

There was no objection.

PERMITTING THE DISPOSAL OF CERTAIN LANDS TO ALIENS

The Clerk called the bill (H. R. 8929) to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, this is not a bill which in any way provides for the general disposal of land to aliens? This applies to a specific case, does it not?

Mr. KILGORE. No. This is an amendment of the basic general law. The general law will permit the disposal of excess lands, limiting that disposal to citizens only.

Mr. GROSS. But this is a specific case?

Mr. KILGORE. This arose out of a specific case. But under the authority disposal could be made to an alien in other instances.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. BYRNES of Wisconsin. It is a special case as it relates to the International Boundary and Water Commission operation. Generally speaking, on other lands there is not this prohibition. This bill simply removes those restrictions.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Act of August 27, 1935 (49 Stat. 906), as amended by the Act of June 19, 1939 (53 Stat. 841), and as further amended October 31, 1951 (56 Stat. 707), be, and the same is hereby, amended to read as follows:

"That the Secretary of State be, and he is hereby, authorized to lease any land heretofore or hereafter acquired under any Act,

Executive order, or treaty, in connection with projects, in whole or in part, constructed or administered by the Secretary of State through the said American Commissioner, or to dispose of such lands when no longer needed, subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended, by sale at public auction, after 30 days' advertisement, at a price not less than that which may be fixed by three disinterested appraisers, to be designated by the Secretary of State, or by private sale, or otherwise, at not less than such appraised value: *Provided,* That any of such land as shall have been donated to the United States and which is no longer needed may be reconveyed, without cost, to the grantor or his heirs: *Provided further,* That the lease or disposal of any land pursuant hereto may, in the discretion of the Secretary of State, be subject to reservations in favor of the United States for rights-of-way for irrigation, drainage, river work, and other purposes, and any such disposal may be conditioned upon and made subject to inclusion of such lands in any existing irrigation district in the vicinity of such lands, the proceeds of any such lease or sale to be covered into the Treasury of the United States: *And provided further,* That in the discretion of the Secretary of State, and subject to such conditions as he may deem appropriate, conveyances of any other of such lands not needed by the United States may be made to the State to which they lie adjacent or to any similarly situated county, city, or other governmental subdivision of such State, without cost, for use for public purposes.

"The Secretary of State is further authorized to issue revokable licenses for public or private use for irrigation or other structures or uses not inconsistent with the use of such lands made, or to be made, by the United States, across any lands retained by the United States, and to execute all necessary leases, title instruments, and conveyances, in order to carry out the provisions of this Act.

"Whenever the construction of any project or works undertaken or administered by the Secretary of State through the International Boundary and Water Commission, United States and Mexico, results in the interference with or necessitates the alteration or restoration of constructed and existing irrigation or water-supply structures, sanitary or sewage disposal works, or other structures, or physical property belonging to any municipal or private corporation, company, association, or individual, the Secretary of State may cause the restoration or reconstruction of such works, structures, or physical property or the construction of others in lieu thereof or he may compensate the owners thereof to the extent of the reasonable value thereof as the same may be agreed upon by the Ameican Commissioner with such owner.

"The Secretary of State, acting through such officers as he may designate, is further authorized to consider, adjust, and pay from funds appropriated for the project, the construction of which resulted in damages, any claim for damages accruing after March 31, 1937, caused to owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the American Commissioner, International Boundary and Water Commission, United States and Mexico, if such claim for damages does not exceed $1,000 and has been filed with the American Commissioner within one year after the damage is alleged to have occurred, and when in the opinion of the American Commissioner such claim is substantiated by a report of a board appointed by the said Commissioner."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING CERTAIN LAND TO THE STATE OF NORTH DAKOTA FOR USE AND BENEFIT OF NORTH DAKOTA STATE SCHOOL OF SCIENCE

The Clerk called the bill (S. 999) authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I wonder if there is somebody on the committee who can advise if the committee accepted the recommendation of the Department of the Interior that free tuition be given to the Indian students for 20 years rather than 10 years?

Mr. KRUEGER. The price would be too high.

It was agreed in the beginning that the Indian Bureau would convey this property to the North Dakota State School of Science for a consideration of 10 Indian students for a period of 10 years would be given a scholarship to attend the school. The Bureau conveyed only 70 acres instead of 80 acres and the State of North Dakota agreed to accept the offer.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of North Dakota, for the use and benefit of the North Dakota State School of Science, all right, title, and interest of the United States to the following described land, located in Richland County, North Dakota, together with any buildings or other improvements thereon: The southwest quarter of the northwest quarter, lot 3 and the west 19 rods of lot 2 of section 5 in township 132 north of range 47 west of the fifth principal meridian; the said description also being known as the southwest quarter of the northwest quarter, the northwest quarter of the northwest quarter, and the west 19 rods of the northeast quarter of the northwest quarter of section 5 in township 132 north of range 47 west of the fifth principal meridian, containing 80.0637 acres more or less according to the United States Government survey thereof after allowing a deduction of 5.61 acres now occupied by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company as a right-of-way, formerly known as the Chicago, Milwaukee and St. Paul Railway Company, being that portion of said land conveyed to the Fargo Southern Railroad Company in a certain warranty deed recorded in book J of deeds on page 171 in the office of the register of deeds of Richland County, North Dakota: *Provided,* That title to the land described in this section shall revert to the United States if, at any time within twenty-five years after conveyance by the Secretary of the Interior, the land is used for other than educational purposes.

SEC. 2. (a) As consideration for the transfer of the property referred to in the first section of this Act, the North Dakota State School of Science shall make available for each of its school years, for a period of ten school years, free tuition to ten qualified Indians who wish to attend such school during such school year.

(b) To qualify for free tuition under this act any such prospective students shall (1) be seventeen years of age or over, (2) be a high-school graduate, (3) be recommended by the Bureau of Indian Affairs, and (4) meet the entrance standards of the North Dakota State School of Science.

(c) The period of ten school years during which free tuition shall be made available under this act shall commence not later than two years after the date of the enactment of this Act.

SEC. 3. The Secretary of the Interior shall reserve to the United States all mineral interests in land conveyed under this Act, and the right to mine and remove the same under applicable laws and regulations to be established by him.

With the following committee amendments:

Page 1, line 9, following the word "The" insert "north half of the southwest quarter of the northwest quarter, the north half of the south half of the."

Page 2, line 2, following the words "known as the" insert "north half of the southwest quarter of the northwest quarter, the north half of the south half of the."

Page 2, line 3, following the words "northwest quarter" where they first appear, insert a comma.

Page 2, line 4, following the words "northwest quarter" insert a comma.

Page 2, line 7, strike the figure "80.0637" and insert "70.0637."

Page 2, line 9, following the words "5.61 acres" insert "more or less."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATES COMPACT OF WATERS OF LITTLE MISSOURI RIVER

The Clerk called the bill (S. 1556) granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of the Congress is hereby given to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to the interests of such States in the development, protection from pollution, and the use of the water resources of the Little Missouri River and its tributaries, and providing for an equitable apportionment among them of the waters of the Little Missouri River and its tributaries, and for matters incidental thereto, upon the condition that one qualified person appointed by the President of the United States shall participate in such negotiations as chairman, representing the United States, and shall make a report to the President of the United

States and the Congress of the proceedings and of any compact entered into. Such compact shall not be binding or obligatory upon any of the parties thereto unless or until the same shall have been ratified by the legislature of each of the respective States, and consented to by the Congress of the United States.

SEC. 2. (a) The Federal representative shall be appointed by the President, and shall report to the President either directly or through such agency or official of the Government as the President may specify.

(b) The Federal representative shall receive compensation and shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as provided for experts and consultants under sections 5 and 15 of the Administrative Expenses Act of 1946 and the Travel Expense Act of 1949, except (1) that his term of service shall be governed by the terms of this act and shall not be affected by the time limitations of said section 15, and (2) his per-diem rate of compensation shall be in such amount, not in excess of $100, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $15,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer, or a retired Federal civilian officer or employee, may be appointed as such representative without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $15,000 in any one calendar year.

(c) The Federal representative shall be provided with office space, consulting, engineering, and stenographic service, and other necessary administrative services.

(d) The compensation of the Federal representative shall be paid from the current appropriation for salaries in the White House Office. Travel and other expenses provided for in subsections (b) and (c) of this section shall be paid from any current appropriation or appropriations selected by the head of such agency or agencies as may be designated by the President to provide for such expenses.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 4, line 4, strike out all of section 3 and insert in lieu thereof the following:

"SEC. 3. The authority granted in this act shall expire 4 years from the date of enactment."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING PORTIONS OF RIGHT-OF-WAY IN RENO, NEV.

The Clerk called the bill (S. 1773) to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the Act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the conveyance in the form of a quitclaim deed executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, as grantors, to the State of Nevada, as grantee, under date of January 12, 1953, for the use and benefit of the Nevada State Hospital for Mental Diseases, and recorded in the office of the county recorder of Washoe County, State of Nevada, on the 21st day of March 1953, in book numbered 318 of deeds, page 300, official records of said county, involving certain lands or interests therein in the city of Reno, county of Washoe, State of Nevada, and forming a part of the right-of-way of said Central Pacific Railway Co. granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat. L. 489), and by said act as amended by Act of Congress approved July 2, 1864, entitled "An Act to amend an Act entitled 'An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862" (13 Stat. L. 356), is hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyance by the above-named grantors making the same under absolute fee-simple title: *Provided*, That such legislation, validation, and confirmation shall not diminish said right-of-way to a width less than fifty feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established: *Provided further*, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment and not confirmed by conveyance heretofore made by Central Pacific Railway Co. and its lessee, Southern Pacific Co.: *And provided further*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING ALASKA TITLE TO CERTAIN LANDS

The Clerk called the bill (H. R. 6760) to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That as used in this act—

(a) The term "natural resources" includes, without limiting the generality thereof, oil, gas, and all other minerals, but does not include fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life, or waterpower, or the use of water for the production of power; and

(b) The term "pierhead line" means a pierhead line established, now or in the future, by the Corps of Engineers of the Department of the Army as the outer limit to which manmade facilities may be permitted to extend into Federal waters: *Provided*, That the determination of the location of a pierhead line by the Corps of Engineers shall be conclusive.

SEC. 2. (a) Except as provided in section 3, there is granted to the Territory of Alaska (hereinafter called the "Territory") all the right, title, and interest of the United States in and to all lands, including improvements thereon and natural resources thereof, lying offshore of surveyed townsites in the Territory, between the line of mean high tide and the pierhead line. Upon the acceptance by the Secretary of the Interior (hereinafter called the "Secretary") at any future time of the survey of any other townsite in the Territory, all the right, title, and interest of the United States in and to the lands, including improvements thereon and natural resources thereof, lying offshore of that surveyed townsite, between the line of mean high tide and the pierhead line, shall pass to the Territory.

(b) The Territory may manage and dispose of any tract of land acquired by it under subsection (a) of this section, and of any revenues or proceeds therefrom, in such manner as the legislature of the Territory may direct, except that in the disposition, by sale, lease, or otherwise, of any tract which is occupied or developed for municipal, business, residential, or other beneficial purposes on the date of approval of this act, the Territory shall afford a preference right to the occupant thereof on the date of approval of this act, or his successor in interest, or, if the Territory deems it more advisable, shall dispose of the tract to the incorporated town or independent school district to which it is adjacent. If such an occupied or developed tract is conveyed to an incorporated town or school district, the town or district shall, in its disposition of the tract, afford a similar preference right to the occupant of the tract. Where the tract is occupied by a person other than the owner of the improvements thereon, the owner of the improvements shall, for the purposes of this subsection, be considered the occupant of the tract.

(c) The Territory shall not be authorized to manage or dispose of any tract of land granted to the Territory under this act until the Secretary of the Army has submitted to the Secretary of the Interior and the Governor of the Territory maps showing the pierhead line established by the Corps of Engineers with respect to the tract so granted.

(d) Nothing in this act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of such lands and waters for the purposes of navigation or flood control or the production of power, or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control, or the production of power.

SEC. 3. There are excepted from the operation of subsection (a) of section 2 of this act—

(a) all tracts or parcels of land together with all accretions thereto, resources therein, or improvements thereon, title to which has been lawfully and expressly acquired by the United States from the Territory of Alaska or from any party in whom title has vested under the laws applicable to the Territory, or the law of the United States, all lands expressly retained by or ceded to the United States, all lands acquired by the United States by gift or by proceedings under eminent domain, all lands filled in, built up, or otherwise reclaimed by the United States for its own use as long as so used, and any rights the United States has in lands presently and actually occupied by the United States under claim of rights;

(b) the lands underlying war-housing project ALASKA-50083 located in Juneau,

Alaska, together with such easements in, over, through, and upon the adjacent tidal flats as may be necessary to continue the existing main sewer line to deep water;

(c) any land which, on the date of approval of this act, is held, or any land in which, on the date of approval of this act, any interest is held, by the United States for the benefit of any tribe, band, or group of Indians, Aleuts, and Eskimos or for individual Indians, Aleuts, and Eskimos;

(d) all oil and gas deposits located in the submerged lands along the Arctic coast of naval petroleum reserve numbered 4 between the line of mean high tide and the pierhead line; and

(e) all structures and improvements, constructed by the United States in the exercise of its navigational servitude.

SEC. 4. (a) The United States retains all its navigational servitude and rights in and powers of regulation and control of the waters over and lands transferred under subsection (a) of section 2 for the constitutional purposes of commerce, navigation, national defense, and interntaional affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, disposition, use, and development of the lands and natural resources which are specifically vested in the Territory by subsection (a) of section 2 of this act.

(b) In time of war or when necessary for national defense, and when the Congress or the President shall so prescribe, the United States shall have the right of first refusal to purchase at the prevailing market price, all or any portion of the natural resources granted under subsection (a) of section 2, or to acquire and use any portion of the lands granted thereby, by proceeding in accordance with due process of law and paying just compensation therefor.

SEC. 5. Nothing contained in this act shall affect any right which may have been acquired under any law of the United States in lands subject to this act and such rights, if any, shall be governed by the law in effect at the time at which they were acquired: *Provided, however,* That nothing contained in this act is intended or shall be construed as a finding, interpretation, or construction by the Congress that the law under which such rights may be claimed in fact or in law applies to the lands subject to this act, or authorizes or compels the granting of such rights in such lands, and that the determination of the applicability or effect of such law shall be unaffected by anything contained in this act.

SEC. 6. (a) The Secretary is hereby authorized to survey for the purposes of this act the exterior boundaries of any area in the Territory which is occupied as a town, village, or city, notwithstanding the fact that the lands within that area may not be subject to disposal under the public land laws, and upon his acceptance of a survey for such area, the area shall be deemed a surveyed townsite for the purposes of this act.

(b) The Secretary of the Army is authorized and directed to cause such pierhead lines, beyond which no man-made facilities may be permitted to extend into Federal waters, to be established as may be requested by the Secretary of the Interior as necessary to carry out the terms of this act.

With the following committee amendment:

Page 2, line 8, following the word "lands" insert "within the Territory of Alaska."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTIONS 22 AND 24 OF THE ORGANIC ACT OF GUAM

The Clerk called the bill (H. R. 4215) amending sections 22 and 24 of the Organic Act of Guam.

Mr. O'HARA of Illinois. Mr. Speaker, reserving the right to object, may I inquire what this bill does?

Mr. ASPINALL. This bill would raise the salary of the district judge at Guam to correspond in amount with the salaries of other Federal judges in the United States.

Mr. O'HARA of Illinois. I notice it makes some changes of a jurisdictional nature in the courts of Guam. Have those changes met the approval of the Legislature of Guam? I presume they have. I do know that we in the House have great respect for the Legislature of Guam, heightened by the visits with us of the distinguished speaker, the Honorable A. J. Won Pat, and several of his colleagues in the law-making body of Guam.

Mr. ASPINALL. Yes, they have. The request came with approval from the legislative body of Guam, if my colleague will permit me to say so.

Mr. O'HARA of Illinois. Mr. Speaker, I withdraw my objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, I ask the gentleman from Colorado [Mr. ASPINALL]: Is this judge furnished a residence on Guam?

Mr. ASPINALL. No, it is my understanding that this judge pays for his own residence the same as every other Federal judge.

Mr. GROSS. He is not furnished a residence; he is not furnished transportation or anything of that nature?

Mr. ASPINALL. He is furnished traveling expenses when he is going about the trust territory as he takes care of his duties; but as far as transportation back and forth from the mainland to the island, it is my understanding that he is not reimbursed unless it is on a judicial assignment.

Mr. GROSS. And the gentleman tells me that this judge maintains his own residence; the residence is not provided for him on the island of Guam?

Mr. ASPINALL. That is my understanding. He is a Federal judge in Guam. When I was there three years ago I was advised that he was paying rent on his domicile.

Mr. GROSS. The increase in salary is more than $9,000 a year.

Mr. ASPINALL. The increase would bring the salary of the Federal judge at Guam in line with the salaries of Federal judges elsewhere in the United States.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NATIONAL COWBOY HALL OF FAME AT OKLAHOMA CITY

The Clerk called the concurrent resolution (S. Con. Res. 32) favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.

There being no objection, the Clerk read the resolution, as follows:

Whereas citizens of 17 Western States where the cattle trade contributed a colorful chapter to the whole history of the United States and particularly to that of the grasslands on which the cattle trade flourished, have cooperated in the establishment at Oklahoma City, Okla., of the National Cowboy Hall of Fame and Museum; and

Whereas it is the purpose of the National Cowboy Hall of Fame and Museum to honor past and present cowboys, stockmen, and ranchers who have contributed to the initial development of the West; and

Whereas in order to perpetuate the contributions by acts and deeds of these men and women, the National Cowboy Hall of Fame and Museum proposes to erect such buildings or monuments as may be deemed appropriate to be a lasting memorial to those pioneers; and

Whereas the preservation of historical and present-day documents, mementos, personal effects, and relics of these pioneers is of national interest and will be a valuable contribution to the folklore of America: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the National Cowboy Hall of Fame and Museum as a memorial to individuals who have made outstanding contributions in the opening and development of the West and as a fitting and valuable institution for the collection and preservation of artifacts and other evidences and data relating to the role the West has played in enriching our American historical heritage.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIRAGE FLATS IRRIGATION DISTRICT, NEBRASKA

The Clerk called the bill (H. R. 5679) to authorize amendment of the irrigation repayment contract of December 28, 1950, between the United States and the Mirage Flats Irrigation District, Nebraska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to enter into an agreement with the Mirage Flats Irrigation District, Nebraska, amending the contract between the United States and said district dated December 28, 1950 (a) to provide for the application of $12,642 of accumulated development period credits to reduction of presently delinquent construction charge payments, (b) to reduce the 38th annual construction charge installment under said contract to $24,890, (c) to schedule for payment in the 39th year any balance of the construction charge obligation, and (d) to include a provision whereby the scheduled annual payments will be increased or decreased in accordance with a formula reflecting economic factors pertinent to the ability of the organization to pay and the number of years allowed for full repayment will vary accordingly.

With the following committee amendment:

Page 1, line 9, strike out the word "payments," and insert "payments and accumulated penalties thereon."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDATORY REPAYMENT CONTRACTS UNDER FEDERAL RECLAMATION LAWS

The Clerk called the bill (H. R. 5492) to amend the act of August 31, 1954 (68 Stat. 1044) to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of August 31, 1954 (68 Stat. 1044), is hereby amended by striking out the year "1957," and inserting in lieu thereof the year "1960."

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 507 AND SUBSECTION 602 (A) OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H. R. 8795) to amend section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended, are hereby further amended as follows:

(1) (a) By redesignating present subsections (g), (h), and (i) of section 507 as subsections (h), (i), and (j), respectively; and

(b) By inserting, immediately after paragraph (7) of subsection (f) of section 507 the following new subsection:

"(g) The Franklin D. Roosevelt Library shall be considered a 'Presidential archival depository' within the meaning of this section, and it and its contents shall be administered in accordance with the applicable provisions of the Federal Property and Administrative Services Act, as amended, subject to section 401 of Reorganization Plan No. 3 of 1946 (60 Stat. 1097; 5 U. S. C. 133y-16) transferring certain functions with respect to the Franklin D. Roosevelt Library to the Secretary of the Interior."

(2) By adding a paragraph (34) to subsection 602 (a) to read as follows:

"(34) Sections 1 (c); 205 (a), (b), (c), (d), (e), and (f); 206, 207, 208, and 209; and the second proviso, contained in section 203 of the joint resolution of July 18, 1939 (53 Stat. 1062)."

With the following committee amendment:

Page 2, line 5, after "act," insert "of 1949."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REFUNDS OF ALCOHOL AND TOBACCO TAXES

Mr. COOPER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8216) to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax, with the committee amendments printed in the bill.

The Clerk read as follows:

Be it enacted, etc., That subchapter B of chapter 65 of the Internal Revenue Code of 1954 (relating to rules of special application for abatements, credits, and refunds) is amended by adding at the end thereof the following new section:

"SEC. 6423. Conditions to allowance in the case of alcohol and tobacco taxes.

"(a) Conditions: No credit or refund shall be allowed or made, in pursuant of a court decision or otherwise, of any amount paid or collected as an alcohol or tobacco tax unless the claimant establishes (under regulations prescribed by the Secretary or his delegate)—

"(1) that he bore the ultimate burden of the amount claimed; or

"(2) that he has unconditionally repaid the amount claimed to the person who bore the ultimate burden of such amount; or

"(3) that (A) the owner of the commodity furnished him the amount claimed for payment of the tax, (B) he has filed with the Secretary or his delegate the written consent of such owner to the allowance to the claimant of the credit or refund, and (C) such owner satisfies the requirements of paragraph (1) or (2).

"(b) Filing of claims: No credit or refund of any amount to which subsection (a) applies shall be allowed or made unless a claim therefor has been filed by the person who paid the amount claimed, and, except as hereinafter provided in this subsection, unless such claim is filed after September 30, 1957, and within the time prescribed by law, and in accordance with regulations prescribed by the Secretary or his delegate. All evidence relied upon in support of such claim shall be clearly set forth and submitted with the claim. Any claimant who has on or before September 30, 1957, filed a claim for any amount to which subsection (a) applies may, if such claim was not barred from allowance on September 30, 1957, file a superseding claim after September 30, 1957, and on or before September 30, 1958, conforming to the requirements of this section and covering the amount (or any part thereof) claimed in such prior claim. No claim filed before October 1, 1957, for the credit or refund of any amount to which subsection (a) applies shall be held to constitute a claim for refund or credit within the meaning of, or for purposes of section 7422 (a); except that any claimant who instituted a suit before June 15, 1957, for recovery of any amount to which subsection (a) applies shall not be barred by this subsection from the maintenance of such suit as to any amount claimed in such suit on such date if in such suit he establishes the conditions to allowance required under subsection (a) with respect to such amount.

"(c) Period not extended: Any suit or proceeding, with respect to any amount to which subsection (a) applies, which is barred on September 30, 1957, shall remain barred. No claim for credit or refund of any such amount which is barred from allowance on September 30, 1957, shall be allowed after such date in any amount.

"(d) Application of section: This section shall apply only if the credit or refund is claimed on the grounds that an amount of alcohol or tobacco tax was assessed or collected erroneously, illegally, without authority, or in any manner wrongfully, or on the grounds that such amount was excessive. This section shall not apply to—

"(1) any claim for drawback,

"(2) any claim made in accordance with any law expressly providing for credit or refund where a commodity is withdrawn from the market, returned to bond, or lost or destroyed, and

"(3) any amount claimed with respect to a commodity which has been lost, where a suit or proceeding was instituted before June 15, 1957.

"(e) Meaning of terms: For purposes of this section—

"(1) Alcohol or tobacco tax: The term 'alcohol or tobacco tax' means—

"(A) any tax imposed by chapter 51 (other than part II of subchapter A, relating to occupational taxes) or by chapter 52 or by any corresponding provision of prior internal revenue laws, and

"(B) in the case of any commodity of a kind subject to a tax described in subparagraph (A), any tax equal to any such tax, any additional tax, or any floor stocks tax.

"(2) Tax: The term 'tax' includes a tax and an exaction denominated a 'tax,' and any penalty, addition to tax, additional amount, or interest applicable to any such tax.

"(3) Ultimate burden: The claimant shall be treated as having borne the ultimate burden of an amount of an alcohol or tobacco tax for purposes of subsection (a) (1), and the owner referred to in subsection (a) (3) shall be treated as having borne such burden for purposes of such subsection, only if—

"(A) he has not, directly or indirectly, been relieved of such burden or shifted such burden to any other person,

"(B) no understanding or agreement exists for any such relief or shifting, and

"(C) if he has neither sold nor contracted to sell the commodities involved in such claim, he agrees that there will be no such relief or shifting, and furnishes such bond as the Secretary or his delegate may require to insure faithful compliance with his agreement."

SEC. 2. The table of sections for subchapter B of chapter 65 of such code is amended by adding at the end thereof the following:

"Sec. 6423. Conditions to allowance in the case of alcohol and tobacco taxes."

SEC. 3. The amendments made by this act shall not apply to any credit or refund allowed or made before October 1, 1957.

The SPEAKER. Is a second demanded?

Mr. JENKINS. Mr. Speaker, I demand a second so that the matter might be explained.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, existing law provides rules requiring a taxpayer who overpays a Federal retailers or manufacturers excise tax to show that he bore the ultimate burden of the tax, that he has repaid the amount of the tax to the purchaser or ultimate purchaser, or that

he has obtained the consent of the purchaser or ultimate purchaser to refund, before any refund of the tax will be allowed. Similar conditions to refund are imposed in the case of the excise taxes on admissions, club dues, communications, and transportation. These conditions to refund are designed to prevent the taxpayer from realizing a windfall; from being unjustly enriched by the amount of the tax which has in fact been borne by the ultimate purchaser of a taxed article or service.

At the present time no similar conditions to refund are imposed in the case of the excise taxes on alcohol or tobacco. Recently claims in the amount of around $830 million have been filed with the Internal Revenue Service premised upon the unconstitutionality of provisions of the Internal Revenue Code relating to the alcohol and tobacco taxes. Principally these claims arise around the additional tax of $1.50 per gallon which was imposed upon distilled spirits in bond on November 1, 1951, and involve cases in which the tax has been passed on to the ultimate consumer of the products involved. Accordingly, a situation has arisen, in connection with the alcohol and tobacco taxes, comparable to that dealt with in other excise tax areas by the imposition of conditions to refund. The conditions to refund provided by H. R. 8216 will require the claimant of a refund for alcohol or tobacco taxes to show that he bore the ultimate burden of tax or has repaid the amount of the tax to the person who in fact bore the ultimate burden. These conditions will not, however, apply to claims for drawback, for credit or refund where commodities are withdrawn from the market and returned to bond, or lost or destroyed, or for amounts claimed where a commodity has been lost, where suit has been filed before June 15, 1957.

Precedent for your committee's bill lies in title VII of the Revenue Act of 1936 where an unjust enrichment tax was imposed, predicated upon conditions similar to those contained in the bill, to prevent windfall to taxpayers after the provisions of the Agricultural Adjustment Act of 1933 were declared unconstitutional.

As amended H. R. 8216 will not require taxpayers who are already litigating the validity of their claims to refile and begin their proceedings anew. Instead they will be permitted to amend their claims to allege that they have complied with the conditions to refund which will be imposed by the bill.

I urge the House to take favorable action on the bill.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. How much money will be refunded to the liquor people and the tobacco people?

Mr. COOPER. Just the contrary is the case. This is to protect the revenue.

Mr. REES of Kansas. It will prevent repayment?

Mr. COOPER. It will prevent windfalls and loss of revenue. This is to protect the revenue.

Mr. REES of Kansas. The gentleman referred to an item of $800 million.

Mr. COOPER. That is, where they have made claims for refunds. This is to protect the revenue to prevent these windfalls.

Mr. REES of Kansas. Will it cancel out those claims? It would not cancel those claims, would it?

Mr. COOPER. No. Those claims are still pending.

Mr. REES of Kansas. I thank the distinguished chairman of the great Committee on Ways and Means. If it prevents windfalls to people not entitled to them then, of course, the legislation should be approved.

Mr. JENKINS. Mr. Speaker, existing law provides that a taxpayer who is not the ultimate purchaser and who overpays a retailer's or manufacturer's excise tax must show that he assumed the ultimate burden of the tax, that he refunded the tax to his consumer, or that he obtained the consent to the refund from his customer before such taxpayer is eligible for a credit or refund with respect to the overpayment of tax. However, such a provision is not applicable with respect to certain refunds of alcohol and tobacco taxes. H. R. 8216 would correct this oversight in the Internal Revenue Code so that a taxpayer seeking to obtain a refund or credit would be required to demonstrate either that he bore the burden of the tax or that he has made refund of such taxes to his customer. By approving this legislation the Congress will have taken an important step to establish a safeguard in our tax structure against unjust enrichment through the device of taxpayers claiming a credit or refund where such taxpayers did not bear the burden of tax either directly or indirectly. All this legislation would do is to place taxpayers subject to the alcohol and tobacco Federal excise taxes in the same position under the law as taxpayers who are subject to the other manufacturers and retailers excises.

The SPEAKER pro tempore (Mr. HARRIS). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

REDUCTION OF CABARET TAX

Mr. FORAND. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 17) to repeal the cabaret tax, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (6) of section 4231 of the Internal Revenue Code of 1954 (relating to imposition of tax with respect to roof gardens, cabarets, and other similar places) is amended by striking out "20 percent" and inserting in lieu thereof "10 percent."

Sec. 2. The amendment made by the first section of this act shall apply only with respect to periods after 10 antemeridian on the first day of the first month which begins more than 10 days after the date of the enactment of this act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

Mr. FORAND. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FORAND. Mr. Speaker, H. R. 17 as introduced was comparable in objective with 16 other bills that have been introduced thus far in the 85th Congress, namely, the repeal of the so-called cabaret tax of 20 percent. The introduction of 17 bills with the same aim certainly demonstrates a widespread recognition of the unfairness of permitting the cabaret tax to remain at its present basis.

The introduction of H. R. 17 was prompted by two primary considerations. One of these affects the economic welfare of a substantial number of citizens. The other involves the basic principle of tax equality and fairness.

With respect to the first consideration, a wealth of public testimony before the Subcommittee on Excise Taxes, of which I have the honor to be chairman, has convincingly demonstrated that the 20-percent cabaret tax acts as a serious depressant to the entertainment industry and to those types of establishments that virtually are compelled to provide some form of entertainment in addition to dining and refreshment facilities. Public places that offer food or beverages along with refreshing diversion in the form of dancing, singing, music and humor are traditional on the American scene. They comprise an integral and necessary part of the varous entertainment facilities that provide the relaxation and amusement necessary for well balanced living, and should not be discouraged. It is evident, however, that this type of business has been discouraged by the cabaret tax. This is true not only of hotel dining rooms and supper clubs, but applies as well to more modest establishments that cater to persons in the middle and lower income groups.

The public testimony shows that this distressing condition has in turn accelerated the steady decline in the employment of professional musicians, singers, and other entertainers. If places which otherwise would employ them find the 20 percent tax too great a burden to permit the furnishing of entertainment, these talented people must either be completely or partially jobless, or, if they are fortunate enough, must obtain employment at lower paying tasks than those for which their ability and training fit them. Legislative action surely is needed when a tax has such adverse consequences for thousands of our citizens. This need has been recognized by responsible officials of the present administration. In the course of a radio interview on May 20, 1957, the Honorable James P. Mitchell, Secretary of Labor, expressed the view that the cabaret tax is discriminatory and should be repealed. With this particular view I wholeheartedly concur.

The cabaret tax is discriminatory not only in its prejudicial effect on many individuals and businesses, but in the rate of tax itself. It is one of the very few excise taxes that still carries a rate of 20 percent. This rate has been in effect since 1944. Before that time the rate was only 5 percent. A number of other excise taxes which were increased in 1944 have since been reduced to their former rate. Most of these reductions took effect April 1, 1954, as the result of the Excise Tax Reduction Act of 1954. This measure as it passed the House established a ceiling rate of 10 percent for ad valorem excise taxes. The report of the Committee on Ways and Means with respect to the 1954 bill stated that the rates above 10 percent were reduced to that level in order to stimulate business and employment and to provide a more equitable tax system by leveling down those rates which were excessively high. Unfortunately, the 1954 bill as finally enacted departed from the ceiling rate of 10 percent approved by the House, in that higher rates were continued with respect to cabaret tax and a very few other taxes.

Cabaret tax is classed in the Internal Revenue Code under the general heading of admissions tax. Another category under this heading is the tax on general admissions which was cut by the 1954 act from a rate equivalent to 20 percent down to a rate equivalent to 10 percent. Subsequent Congressional action provided an exemption from tax for admissions of 90 cents or less. By an earlier amendment to the law, establishments qualifying as ballrooms, dance halls, or similar establishments are excluded from a definition of places subject to the cabaret tax, even though there is incidental selling of food and refreshment in conjunction with the operation. These various actions have resulted in an inconguous situation. Payments for admission to a ballroom or dance hall either are not taxed or are taxed at a rate equivalent to 10 percent, depending on the charge, while payments by patrons for food and refreshment are not taxed at all. In contrast, an establishment where the selling of food and beverages is more than incidental, but which provides dancing facilities similar to that of a ballroom is subjected to a tax of 20 percent on all receipts whether for admission, food or beverage. This is an obvious inequity.

While many of us believe that repeal of the cabaret tax would be desirable, the Subcommittee on Excise Taxes and the Committee on Ways and Means concluded that repeal of the cabaret tax at this time without repeal of some other excise taxes would, in a sense, be discriminatory to those commodities and services which now enjoy the advantage of a lower rate. Therefore, the bill as introduced has been amended to provide for a reduction in the rate of tax to 10 percent. Although this action will not completely remedy the adverse economic effects referred to, it is anticipated that the partial relief will do much to relieve unemployment distress among musicians and entertainers, aid existing businesses, and encourage the establishment and growth of new businesses.

I urge my fellow Members of the House to vote favorably for this measure so that these beneficial results may be realized.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Massachusetts.

Mr. LANE. Mr. Speaker, I rise to associate myself with the gentleman from Rhode Island on this bill and to compliment him on the amount of work and effort he has put into the study of this bill and into bringing it to the attention of the Congress.

Mr. Speaker, the 20-percent tax on cabarets is punitive.

It has seriously affected the operators of these establishments, and has curtailed employment.

The entertainers and the servers of food and beverages have witnessed their source of employment dry up as customer resistance to this tax has induced them to cut down on their patronage.

The description cabaret is somewhat misleading. It conjures up a mental picture of an occasional nightspot. But hundreds of thousands of conservative businesses that cater to the mobile millions of Americans who frequently eat out come under this general category. Both the job opportunities and the incomes of the substantial number of Americans who depend for their livelihood upon this service industry are severely restricted by this confiscatory tax.

We propose to give them some relief by reducing the cabaret tax from 20 percent to 10 percent.

Experience proves that tax reduction, where feasible; stimulates business and brings in larger revenues from the reduced levy.

In the tax under discussion the coverage is not so extensive and the revenues received from it so large that we dare not change it.

It will provide relief to a business that is definitely suffering from an excessive tax; it will take up the slack of unemployment in that service; and it will increase consumer patronage.

It is no secret that the American people and American business are becoming restless under the general tax load that they are compelled to bear.

The present bill is one instance where we can begin to reverse this trend in a small but practical way, and as a sign of our intention to provide some income-tax relief for all next year.

I have received many complaints from my district concerning the oppressive nature of this tax. As profit margins have narrowed, this has become a critical factor for many. It has driven some out of business and will force others to fail if we do not reduce the tax.

I am confident that the proposed cut in the cabaret tax authorized by H. R. 17, will benefit all concerned, including the United States Government.

Mr. FORAND. I thank the gentleman.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Louisiana.

Mr. BOGGS. As the gentleman knows, I am one of those authors of the 16 bills to which the gentleman referred. I believe the gentleman emphasized in his statement, did he not, that this is the only tax which we now have levied at 20 percent; is that not correct?

Mr. FORAND. Practically the only one. There still remains the 20 percent tax on dog races, horse races, and club dues. Other than those I know of none.

Mr. BOGGS. Substantially, this is a tax upon people, upon musicians, and upon entertainers; is that not correct?

Mr. FORAND. That is absolutely true. Since 1930 the employment of musicians has been cut by 40 percent.

Mr. BOGGS. Is it not a fact that the beverage feature of the tax is almost incidental, that the tax is levied on food, also?

Mr. FORAND. Very definitely so. There is another point that many people fail to realize. They seem to think that the word cabaret applies only to places where drinks are served. They fail to realize that there are 13 States in this Union where the serving of liquor by the drink is prohibited. Yet the cabaret tax applies in those States just as it applies everywhere else.

Mr. BOGGS. As a matter of fact, there are two States where the selling of alcoholic beverages is prohibited—Mississippi and Oklahoma, I believe.

Mr. FORAND. I believe that is correct.

Mr. BOGGS. I thank the gentleman.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I thank the gentleman for bringing this legislation to the House. I think this reduction has been long needed. Indeed, I might have hoped at one time to make the reduction even greater. I am sure that the musicians, small-restaurant owners and employees in the Chicago area in particular will welcome this reduction.

Mr. FORAND. I thank the gentlewoman for her contribution. I may say to her that just about 10 years ago the revenue from the cabaret tax was running at the rate of $72 million a year. It is now down to $42 million. As the result of this tax, the business tax is dropping, as well as the income tax from musicians, waiters, and what have you.

Mrs. CHURCH. I am sure that is true.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from California.

Mr. BALDWIN. Is it not true that under the 20-percent tax many waitresses and cooks have actually lost employment because people just would not pay the additional 20 percent for food charged after the hour this tax went into effect?

Mr. FORAND. That is absolutely true. The American Hotel Association informed our subcommittee that the number of dining facilities that were subject to the cabaret tax has decreased from 700 a few years back to less than 250 today, because of this very tax.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. REES of Kansas. Is this your first tax-reduction bill?

Mr. FORAND. No, it is not.

Mr. REES of Kansas. Where have you reduced taxes otherwise recently?

Mr. FORAND. There were several tax-reduction items in the bill we passed here just recently, H. R. 7125.

Mr. REES of Kansas. About $42 million is involved in the cabaret tax?

Mr. FORAND. For complete repeal. This bill as amended provides only for a reduction to 10 percent in order to bring the tax on cabarets in line with the other taxes as we reduced them in 1954.

Mr. REES of Kansas. I surely appreciate the gentleman's statement, because he is so sincere and so convincing, but if this is such a wonderful bill and so good, why have any cabaret taxes at all?

Mr. FORAND. I am ready and willing to go along with that, but again, the charge of discrimination would have been brought in if we were to have eliminated this tax completely and not eliminated some of the others. This tax was discriminated against in 1954, when we left it at 20 percent and brought the others down to 10 percent. The committee decided to bring it down to the same level as the others. The original bill provided for an outright repeal.

Mr. REES of Kansas. I would not be in favor of that at all. There are a good many other ways to relieve the taxpayers of the country rather than by reducing the tax on cabarets.

Mr. FORAND. I know the gentleman's views on this subject from way, way back. I respect his views, but fail to agree with him on this matter.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. I want to compliment the gentleman on this fine piece of legislation. I know the American Federation of Musicians throughout the country will be highly grateful to the gentleman and the committee.

Mr. FORAND. Coming from my colleague, a great musician himself, I know he speaks from the heart.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Michigan.

Mr. RABAUT. This tax is a discimination against the entertainment world. ASCAP has been very much interested in the reduction of this tax. For my part I would cut it out entirely. Recently the Members of this House received the music records of the pledge of allegiance to the flag. They were the voluntary contributions of ASCAP. If you think entertainment is wrong and should be suppressed, vote against it. If you think it is correct, vote for it. But let us do justice to the entertainment world, so necessary in a troubled world

Mr. FORAND. I thank the gentleman for his contribution.

Before I yield further, if you will all pardon me, I have one thought I want to bring to your attention. We talk about American culture, and of course music comes within that category. This is what Prof. Alvin H. Hansen, of Harvard University, one of the leading economists, in his own report to a joint committee of this Congress, in expressing his viewpoint, said:

> We place too much stress on brick, mortar, and machines when we plan for long-term growth. * * * Have we not by now reached in the United States a degree of plenty with respect to the physical necessities which would permit greater attention to education, health, recreation, and the necessary, varied range of cultural activity in general? * * * Twenty years hence * * * a larger proportion of our population should be teachers, doctors, musicians, actors, artists, and leaders in recreation, youth, and community activities. Music is a major element of the Nation's cultural life, and to have music we must have musicians. To have fine music we must have fine musicians. And to have fine musicians, we must have an economic breeding ground for musicians of all kinds.

Mr. SCUDDER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. SCUDDER. Was it not the intention of the people who are involved in this issue to have a repeal of the cabaret taxes in the first place, that they then reconsidered and thought it would be better for them to ask for a lower tax to bring their tax down to the level of other excise taxes? I know I have had visitations from people who were interested in this tax reduction. I told them the only practicable way to accomplish their desire was to bring their tax down to the level of other excise taxes and that then they would be more likely to receive the favorable consideration of the Congress.

Mr. FORAND. The original request was for outright repeal of the taxes. But, after the committee went into the question and realized the charges now being made of discrimination against the cabaret tax because other taxes were 10 percent, the committee felt we would just consider them in line with the others rather than to discriminate.

Mr. SCUDDER. And that would equalize the various excise taxes which would in turn be beneficial to the amusement industry. I am in sympathy with this legislation and shall support the same.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. O'HARA of Illinois. The Illinois delegation, especially the Members from Chicago, in congratulating the committee on bringing out this splendid legislation are very proud of the fact that the dean of our Illinois delegation, Hon. THOMAS J. O'BRIEN, is a member of that committee and is one of the champions of this fine legislation.

Mr. FORAND. I will say that not only is Mr. O'BRIEN a member, but a distinguished, respected, and highly efficient member of the committee.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. THOMPSON of New Jersey. Does not the gentleman agree that this will, in fact, bring greater revenue to the Federal Treasury?

Mr. FORAND. That is absolutely true. I think we will more than recoup the amount of loss involved.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. Speaker, I would like to commend the distinguished gentleman from Rhode Island.

I think this is an historic occasion when this House is concerned enough about the livelihood of American musicians to take affirmative steps to remove an unjust and discriminatory tax, the cabaret tax.

I want to add my voice in support of the splendid position taken by the Ways and Means Committee in recommending that the tax be reduced from 20 to 10 percent.

I want to state my reasons for urging that this House vote in favor of H. R. 17.

Testimony was offered before the Ways and Means Committee that this cabaret tax is a tax of no-return when the income resulting from it is compared with accruals from substantial gains in employment for musicians, other entertainers and service employees.

This excise tax is a glaring inequality in our Federal tax structure. It was first levied by the Congress in the period of World War I, and the promise was made then that after the emergency had passed it would be repealed.

It is as hard to get rid of temporary and emergency taxes as it is to get rid of temporary buildings to house Government employees for as you look around this Capital City you find many of these so-called temporary buildings still standing.

This tax has been shown to be responsible for fully half of the unemployment that besets the instrumental music profession today. This lack of employment is so pronounced as to threaten the very existence of music in our country.

When we permit an unwise tax policy to strike at the vitals of a basic culture we are indeed surrendering the main redoubts of our free world.

It is wholly unrealistic to support cultural programs for winning the minds and loyalty of peoples in distant lands while taxing out of existence three-fourths of the businesses which support music employment here at home.

A survey of New Jersey showed that 208 establishments in the area covered by the survey have either closed their doors, dispensed with musicians entirely or cut down the employment time of musicians. Nine hundred and forty-eight musicians were affected by this curtailment of earnings possibilities as well as about six times that number of service employees.

Mr. Speaker, these places did not discontinue the sale of liquor; they only discontinued the employment of live musicians.

Until the cabaret tax forced so many of them out of business, hotel dine-and-dance rooms provided our young people with safe, sane places to dance. Now they frequent other places that should be out of bounds.

I would like to point out that reduction or removal of this tax is supported

by the National Federation of Music Clubs, the Music Educators National Conference of the National Education Association, the National Music Council, the American Federation of Musicians and other substantial groups of citizens.

I include here some of the recent messages I have received urging support of H. R. 17:

NEWARK, N. J., *August 2, 1957.*
Hon. FRANK THOMPSON, Jr.,
House Office Building, Washington, D. C.:

H. R. 17 which modifies the 20-percent amusement tax may come up for consideration on Monday, August 5. As a resident of New Jersey, would appreciate your being present and voting in favor. This would result in considerable employment for the musicians of the United States.

LEO CLUESMANN,
Secretary, American Federation of Musicians.

ATLANTIC CITY HOTEL ASSOCIATION,
Atlantic City, N. J., August 3, 1957.
Hon. FRANK THOMPSON, Jr.,
House of Representatives,
Washington, D. C.

MY DEAR MR. CONGRESSMAN: We are very much interested in the prompt passage of H. R. 17, introduced by Representative FORAND.

This bill would, through a 50-percent reduction in the present cabaret tax, provide for long-delayed relief for our guests now penalized 20 percent on food and beverage charges in our entertainment rooms.

Public resistance to this excessive levy has been responsible for closing at least 70 to 80 percent of hotel entertainment rooms throughout the country with a serious loss in employment, as well as income to the operators.

We feel justified in urging your support of this measure inasmuch as Congress has already reduced all other admission taxes to 10 percent, leaving only the cabaret tax at the 20-percent level.

Your influence in bringing this bill on the floor of the House for a vote, and your support in passing this important legislation, will be most sincerely appreciated.

Cordially,

MICHAEL J. FIORE,
President, Atlantic City Hotel Association.

UNITED TAVERN OWNERS ASSOCIATION OF NEW JERSEY,
Newark, N. J., August 1, 1957.
Hon. FRANK THOMPSON, Jr.,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: It has been brought to my attention that bill H. R. 17, designed to reduce the cabaret tax to 10 percent will soon be brought up for consideration.

It has always been my contention that this tax penalizes the small-tavern owner and especially his customers by not permitting them to enjoy themselves because of this excessive and oppressive tax.

I sincerely hope that this bill will find your favorable consideration.

I want to thank you for your past cooperation and I hope that I may have the opportunity of seeing you soon.

My best personal regards,
Sincerely yours,

ANDREW ZIOMEK,
National Director.

CLEMENTON, N. J.

TRENTON, N. J., *August 1, 1957.*
Congressman FRANK THOMPSON, Jr.,
House of Representatives,
Washington, D. C.:

Congressman AIME J. FORAND, August 5, to House bill 17, reducing cabaret tax from 20 percent to 10 percent. Your support will be greatly appreciated by New Jersey hotelmen and myself.

ROBERT K. MCPHERSON,
Hotel Hildebrecht.
Trenton, N. J.

PATERSON, N. J., *August 1, 1957.*
Hon. FRANK THOMPSON, Jr.,
House Office Building,
Washington, D. C.:

New Jersey Council of Bartenders, Culinary and Service Employees, representing 21 local unions with more than 10,000 members throughout New Jersey, urge you to act favorably on H. R. 17 calling for reduction in cabaret tax of H. R. 17. Will help a business that needs assistance and put many additional people to work.

WILLIAM S. MCDONALD,
President.
SAM SKELLY,
Secretary-Treasurer, New Jersey State Council of Bartenders Culinary and Service Employees.

NEWARK, N. J., *August 2, 1957.*
Hon. FRANK THOMPSON, Jr.,
House Office Building,
Washington, D. C.:

We expect H. R. 17, which has for its purpose to reduce the cabaret and entertainment tax to 10 percent, will come up before House of Representatives for vote under suspension of rules on Monday morning, August 5. As a resident of the State of New Jersey and on behalf of the 250,000 professional musicians in this country, I respectfully request you to be present at the session in order to give us your affirmative vote and thus materially assist in greatly increasing employment for our people and all others affected in the entertainment field.

GEO. V. CLANCY,
Treasurer, American Federation of Musicians.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to include certain letters and telegrams.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FORAND. Mr. Speaker, since my time is running short and many Members are interested in this legislation and want to speak on it, I ask unanimous consent that all Members may be permitted to insert their remarks in the RECORD at this point and before the vote.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island.

There was no objection.

Mr. FORAND. Mr. Speaker, I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I support H. R. 17, which reduces by 10 percent the entertainment tax, or so-called cabaret tax. I believe this is a most unfair tax and is punitive in nature and should be eliminated entirely. I would support legislation which eliminates completely this tax and it is my hope next year the Ways and Means Committee will report a bill out that does just that. More members and families of Local 47 of the American Federation of Musicians live in my district than any other congressional district. This legislation will benefit their profession greatly and it is my hope we can give them additional assistance next year by the elimination of this tax.

Following are two communications from local 47:

Congressman JOE HOLT,
House of Representatives:

The board of directors of Local 47, American Federation of Musicians, representing 16,000 musicians in the Los Angeles area who are vitally affected by cabaret tax H. R. 17 earnestly urge your attendance when bill comes up for vote on Monday and request your yes vote.

BOARD OF DIRECTORS, LOCAL 47,
AMERICAN FEDERATION OF MUSICIANS.

Congressman JOE HOLT,
House of Representatives:

We understand that bill H. R. 17 re cabaret tax to be acted upon Monday, August 5. Earnestly solicit your attendance at this session and request your yes vote on same.

ELIOT DANIEL,
President, Local 47, American Federation of Musicians.

Mr. BURNS of Hawaii. Mr. Speaker, the extremely able gentleman from Rhode Island, the Honorable AIME J. FORAND, has presented a very lucid explanation of H. R. 17 and the arguments in its favor.

It is a privilege to join with him in urging adoption of H. R. 17 so that the cabaret tax may be at least placed on the same basis as the other luxury taxes which were reduced from 20 percent to 10 percent some time ago.

Because of our increasing tourist trade, this particular tax adds to the costs of a pleasant vacation in Hawaii. People spending an evening relaxing in the cool breeze and enjoying the tropical atmosphere want to have a little Polynesian music to make their evening complete.

The president of our local of the American Federation of Musicians, Mr. Buddy Peterson, has been in communication with me on this matter and urged my support of it. Though as a matter of fact I had indicated that support to the kindly and gracious gentlemen from Rhode Island prior to this message, I am happy indeed to join my many colleagues urging support for this legislation.

Mr. BYRNE of Illinois. Mr. Speaker, I think it mandatory that the House give its serious consideration to H. R. 17 which will reduce the cabaret tax to 10 percent. I believe this reduction is not only fair but necessary. I come from an area where there are many persons who have been subject to this 20-percent tax which has been in effect for a number of years. Prior to the 20-percent tax it was 30 percent.

My constituents have urged that they be given relief from this unjust tax. Favorable action by the House will inure to the benefit of employees and management.

I understand a nationwide survey conducted by the Research Company of America indicated that one of the main causes for unemployment of musicians is due to this unjust tax. If this tax is repealed or at least reduced to 10 percent, it will result in the reopening of a large number of rooms which will provide employment for thousands of musicians and service workers. This will also

produce greater revenue in the form of income and corporate taxes.

The Chicago Federation of Musicians and the American Federation of Musicians have asked that I lend my support to repealing this tax. I have advised them that I am in agreement with them as to the need for favorable action on this measure.

Chicago is well known for its entertainment world and I want to do all I can to see that our great city remains on top. Many great musicians started out in Chicago. We will continue contributing to this part of American life if our hotels and other places of entertainment are given this needed relief so that they can offer employment to musicians and other artists in the entertainment world.

Mr. DELLAY. Mr. Speaker, I would like to go on record in favor of abolishing the discrimination of the Federal 20-percent cabaret tax. Many of my friends back home are seriously affected by this tax and have called my attention to its inequity. It is recognized with increasing alarm that this tax jeopardizes a basic art—music, and represents a very real threat to an important part of the cultural heritage of our people. I am told this tax, in existence since World War I, permits less than one-third of the professional musicians in the United States to earn all or part of their livelihood from music.

Public resistance to this excessive levy has been responsible for closing at least 70 to 80 percent of hotel entertainment rooms throughout the country. The closing of these establishments has resulted in a serious loss of employment to thousands of citizens as well as income to the operators, with resultant loss of revenue to the Treasury.

All other admission taxes have been reduced to 10 percent, leaving only the cabaret tax at the 20-percent level. H. R. 17, the bill before us today, would, through a 50-percent reduction in the present cabaret tax, provide for some long-delayed relief. I heartily endorse it as a step in the right direction.

Mrs. GREEN of Oregon. Mr. Speaker, I rise in support of H. R. 17 which would reduce the cabaret tax from 20 percent to 10 percent.

This tax has worked unfairly and unjustly to hurt a large segment of our population. It has singled out musicians and other entertainers and has made for many of them the earning of a decent livelihood in their chosen fields of endeavor, well-nigh impossible. These are gifted men and women who should be given the opportunity they have worked for, trained for, and for which many of them are so talented.

Since the early thirties, the entertainment business has suffered a drastic decline due to technological changes.

Since that time, that business has suffered blow after blow. Beginning with the passing of the silent movies and vaudeville, and continuing through the development of the radio and television, the trend has been away from live entertainment.

There is no logic in saying that if a concern can provide only entertainment it pays an admission tax of 10 percent—that if it serves food only it pays no tax—but that if it serves food and provides entertainment, then it pays a 20-percent tax.

I urge a favorable vote on H. R. 17.

Mr. ZABLOCKI. Mr. Speaker, in past Congresses, as in this Congress, I have introduced legislation which would repeal the discriminatory 20-percent tax on amounts paid for admission, refreshment, service, or merchandise, at any roof garden, cabaret, or other similar place.

The House of Representatives realized, when it voted to pass the Excise Tax Reduction Act of 1954, that excise-tax rates above 10 percent were excessively high. Therefore, a ceiling of 10 percent was placed on ad valorem excise taxes. Unfortunately, this legislation when enacted did not apply the 10-percent ceiling to the cabaret tax and a few others. Of course, this proved to be neither fair nor wise.

As you know, the 20-percent tax on roof gardens and similar establishments had a very serious effect on the employment of entertainers. Where food and beverages alone were served, there was, in most cases, no tax at all. However, if the owner were to combine food, beverages, and entertainment, a tax of 20 percent was imposed. This tax rate applied not only to admissions but also to amounts paid for refreshments, services, and merchandise. The proprietor, of course, was discouraged from hiring entertainment of any kind.

I would like to call to my colleagues attention to the figures compiled by the Committee on Ways and Means which pointed out that the employment of musicians has declined about 56 percent, in terms of man-hours, since the cabaret tax was increased from 5 to 20 percent. There is no doubt that the discriminatory cabaret tax was a major cause for this decline.

In addition, cooks, bartenders, waiters and other classifications of employees required to service this important industry were affected.

This is one excise tax which surely has been continued to the serious detriment of all four interests concerned—the public, labor, management and the Federal Government. I understand there has been a continuing decline in cabaret tax collections which reflect the closing and curtailment of establishments affected by this tax. There can certainly be no justification for charging this wartime tax on dinners served in a room where dancing is permitted.

Since I have long advocated either an outright repeal or a substantial reduction in this particular tax, I am pleased that H. R. 17 now gives us an opportunity to reduce the cabaret tax to 10 percent. While I would prefer to repeal the tax entirely or to reduce it to 5 percent, I feel that we have an opportunity to take a much needed step forward.

Mr. JENKINS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, it will be recalled that the Excise Tax Reduction Act of 1954 in its House-passed version provided a 10 percent maximum with respect to ad valorem excise taxes imposed under our Federal Internal Revenue Code. The Senate in acting on that legislation restored the 20 percent rate contained in then existing law with respect to the cabaret tax and certain other taxes. The purpose of H. R. 17 is to make the Federal excise tax applicable to cabarets at 10 percent in lieu of its existing 20 percent level.

It has been brought to the attention of the Committee on Ways and Means and I am sure to many of you as individual Members of Congress that the 20 percent rate applicable to so-called cabarets is particularly onerous and has had a stifling economic impact on the affected segment of our domestic economy. As a member of the Subcommittee on Excise Taxes of the Committee on Ways and Means I heard testimony presented to the subcommittee that this 20 percent rate was adversely affecting the employment of musicians and entertainers as well as those service employees generally finding jobs in the cabaret type of establishment.

Representatives of the industries appearing before the Subcommittee on Excise Taxes of the Committee on Ways and Means urged the abolition of the cabaret tax. In approving the legislation before the House today the Committee on Ways and Means has merely reduced to 10 percent this tax so as to make the rate comparable to the ad valorem taxes generally applicable under our Federal excise tax structure.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I think there are two points to remember about this bill. First, when we speak of it as a cabaret tax, I think really that is a misnomer. I do not think it gives the proper implication of exactly what we are taxing in connection with this particular excise tax. Fundamentally, this is a tax upon employment. It is a tax upon the employment of musicians or entertainers in a place where food is also served. Rather than being like our normal excise taxes, here we have a tax that is designed fundamentally to discourage the employment of a particular class of our people, namely, entertainers and musicians.

On that basis, Mr. Speaker, I think the tax is bad as such. As far as I am concerned, I would vote for the complete elimination of the tax. However, I think there is something to be said for the position taken by the committee as expressed by the gentleman from Rhode Island, [Mr. FORAND] that if we eliminate it completely there might be a charge that we discriminated in the case of those activities as against amusement houses or theaters, or some other activity of that kind, so that probably this bill is a happy compromise.

The other point I would like to make is that this House did in 1954 vote to reduce this tax from 20 percent to 10 percent, just as is provided in this legislation. We did it when we were reducing all excise taxes that were above 20 percent. We brought them down to the 10 percent level. Unfortunately, the Senate did not go along with the action of the House. So what we are asking you to do is to reenact the provision that this House passed in 1954.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Connecticut, who I know has been very active and interested in this legislation.

Mr. MAY. I would like to compliment the gentleman from Wisconsin and the members of the committee for their action on this bill. I am one of those who sought repeal of this tax, however, I am most happy that the committee came out with a 10-percent reduction. I have worked quite closely with the musicians in my district in Hartford, Conn., and had the Secretary of Labor, Mr. Mitchell on my radio program when he came out for repeal of such tax. I strongly urge support of this bill and join with my colleagues who have stated the case for reduction so clearly here today.

Historically speaking, the cabaret tax has never been intended by Congress to serve any purpose other than to provide revenue to defray war expenses. To provide for this tax, the 65th Congress passed the act of October 1917. The rate then was 10 percent. The tax was stubborn and hung on over the years, varying from 3 percent in 1924 to as high as 30 percent at the end of World War II. In 1944 the tax was reduced to its present rate of 20 percent. While every war-conceived excise tax designed specifically to raise wartime revenues has either been reduced or repealed, the discriminatory cabaret tax remains.

What is the effect of this tax today? Annually it provides the Federal Government with approximately $40 million. This appears indeed to be a very concrete economic contribution. Actually, it is insignificant when compared with the overall detrimental effect produced by the continuation of this tax.

First. The tax has been a primary factor in creating economic depression among musicians. Thousands of them have been thrown out of jobs because the public is unwilling to add 20 percent to their entertainment bill. Not only musicians, but thousands of busboys and waiters are also jobless.

Second. As musicians are unable to find employment, there is a corresponding reduction in the desire on the part of talented young people to become musicians. It is a sad commentary that a Nation which can boast proudly of its high intellectual and cultural achievement allows a law to remain on the books which is constantly contributing to the downgrading of one of our most important forms of culture.

Third. The administrative cost of collecting this tax is becoming more prohibitive as the revenue has continued to decrease.

Fourth. There is no reason why Congress should continue to condone unjust economic discrimination against such an important economic and cultural group as the musicians.

What will repeal or reduction accomplish?

First. There is a potential of 252,000 musicians throughout the country that can be put to work.

Second. Cabarets, hotels, and so forth, will be able to attract larger crowds. Many new places of entertainment will open.

Third. Over a period of time, a large number of musicians employed full time in their chosen profession will pay, in income tax, what is lost by repeal or reduction of this excise tax.

Fourth. Repeal or reduction will provide a proper stimulus to cultural achievement in the field of music. This will enable America to maintain and increase its contribution to the level of the world's culture. Today our major symphonies and studio orchestras are pitifully short of qualified musicians. The passage or repeal will, in the long run, remedy this situation by interesting more young people in studying music and eventually following music as a career.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, I want to associate myself with the statements made by the gentleman from Wisconsin [Mr. BYRNES] who has set forth such convincing reasons for supporting this legislation.

Mr. Speaker, H. R. 17 is a sound measure which will wipe out the present discriminatory cabaret tax rate which, in many instances, has caused real hardships among our musicians and smaller taverns and restaurants.

It is important in considering this measure to remember that the cabaret tax is completely out of line with other ad valorem excise taxes, which in most instances do not exceed 10 percent. The evidence clearly indicates this discrimination is having serious repercussions among significant segments of our labor force. For example, it is estimated that 250,000 entertainers—many of them in New York State—have been affected by this unnecessary and unfair tax.

The present rate makes things doubly hard on places of business which provide a combination of entertainment and beverages or food, since they are subject to a 20-percent tariff on the total bill. On the other hand, places where entertainment alone is offered are subject to only a 10-percent tax, and in places where only food and beverages are served, there is often no tax at all.

This double "whammy" for our smaller taverns and restaurants has intensified the decline in demand for entertainers, already hard pressed to find jobs due to technological advances and the concomitant increase in home entertainment. Surely, there is no equitable reason why the problems of our musicians and entertainers should be increased by an unduly prejudicial tax.

It is argued by some that there will be a decline in tax receipts resulting from this reduction in the cabaret tax rate. On the contrary, there are distinct indications that the loss of revenue from this particular tax source may well be made up by increased tax receipts which are bound to result from increased employment of musicians and greater profits in places of business now being hurt by this tax.

Because wiping the present discriminatory tax rate off the statute books will help and will encourage many smaller places of business, and will encourage the hiring of musicians and other entertainers without seriously impairing Federal tax receipts, I am happy to join in urging support of H. R. 17.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Wisconsin. I have appreciated his interest in this matter. I am quite certain that this will help those persons who are employed in a very honorable profession.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentleman from Indiana [Mr. NIMTZ].

Mr. NIMTZ. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Wisconsin [Mr. BYRNES], the gentleman from Rhode Island [Mr. FORAND], the gentlewoman from Illinois [Mrs. CHURCH] and my other colleagues who have spoken in favor of this legislation.

My distinguished colleague from Wisconsin [Mr. BYRNES] and the gentleman from Rhode Island [Mr. FORAND] have given in their respective explanations clear and cogent reasons for the passage of this legislation to obliterate the inequities caused by this so-called cabaret tax, which I believe is misnamed. We will bring employment to the musicians and entertainers of the country and will aid restaurants, hotels, and other places that serve food and who would like to provide entertainment for their patrons but now find it inequitable to do so because of this tax. I urge its passage.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Wisconsin. I think he has made a very fine statement, and I wish to assure him of my cooperation on this legislation. I believe it was wrong and without foundation that the cabaret tax was not adjusted several years ago when there was a general downward revision in the various forms of excise tax. However, we today have the opportunity to make an adjustment at this time and I shall support the committee recommendation and trust this body in its wisdom gives a "do pass" to this bill. The passage of this legislation should be of great benefit to the musicians of our country.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Speaker, I want to compliment the members of this committee for the work they have done on H. R. 17 which bill would reduce the cabaret tax to 10 percent instead of the present 20 percent. I think they should have stricken out the whole tax, but at least half a loaf is better than no loaf at all, and I feel sure that the reduction of this tax will make for greater employment in the entertainment industry. The present amusement tax of 20 percent is discriminatory in that practically all other ad valorem excise taxes do not exceed 10 percent. Secondly, this tax

has acted as a deterrent to the employment of musicians and entertainers, and testimony before the committee proved that this tax was a heavy contributing factor to the unemployment in the entertainment field.

It is my observation that this is not a luxury tax because as I observe the type of people who like to enjoy their food and their entertainment are not the wealthy people, but mainly consist of the rank and file of American citizens. Therefore, I support the reduction of these taxes as contained in H. R. 17.

Mr. JENKINS. I yield such time as he may desire to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks, I am inserting in the RECORD a very informative article published by the Hamilton Manufacturing Co., Two Rivers, Wis.

The article is entitled "Who's To Blame?" It deals with the inflation spiral, which is a matter of grave concern to all of us.

WHO'S TO BLAME?

Most of us took advantage of the recent vacation period by doing some traveling. When it came to paying the bills for the goods and services we bought while away, we probably made some comments about prices being higher than last year. Some of us may have got into an argument about inflation or the wage-price spiral. What is causing it, and what can be done about it?

We probably ran across people in different walks of life—all affected in different degrees by the increased cost of living. Those we talked to who had received recent increases in wage rates were probably not too concerned. The thoughts going through their heads were "If more inflation comes, we'll simply demand higher wages so why should I worry?" Others who were unemployed, or were having to live on a fixed income or pension were very much more concerned about the upward trend of prices at a time when their incomes had not gone up proportionately.

WHY THE WAGE-PRICE SPIRAL?

The answers to this question usually follow a distinct pattern of confusion. When we are on the buying end of a transaction we say the other fellow's prices are too high in relation to our ability to buy. Those on the selling end of the transaction say their costs of making and selling the product are too high for the price they can get.

The confusion comes about because most of us fail to realize we are buyers of other people's wages and services, and are also sellers, at the same time, of our own services. The market place determines the real value of those services, which in turn determines the amounts of work and pay that can be furnished.

Union leaders insist that employers can pay the increased wages demanded and still not increase prices. Their formula: take the wage increases out of profits.

Employers, at the same time, insist that profits are not large enough to meet the needs of industry for new capital and to provide investors with a reasonable return on their money. Pay increases which cannot be met out of increases in efficiency of production must, they say, be covered by higher prices.

The arguments resemble the old question: "Which came first—the chicken or the egg?"

Actually, there are facts and figures that help to answer the question of responsibility for the continuing wage-price spiral. Government figures furnish those facts.

Over the last 6 years, the amount of goods the average worker turned out in an hour's time—his output per hour—has increased about 11 percent, or less than 2 percent a year. That gain is traced largely to new machinery, better methods, and the stimulating effect of the boom, which has enabled most industry to operate at near peak efficiency much of the time.

Wages in the same period, have gone up faster so that labor cost of each unit of output is estimated at 22 percent higher than in 1950.

That means that most workers in industry have been getting more increases in pay than the increase in product-output appears to justify.

Other factors that enter into prices—raw materials, pay of management, equipment, taxes, profits—when lumped together—show an increase of 11 percent, or half as much increase as labor costs. In that sense, the Government study lends support to the view that wages have the major responsibility for keeping prices on the rise.

It isn't so much a question as to whether prices cause wage increases or whether wage increases cause price increases. Rather it is the fact that compensation has increased twice as fast as greater output.

Official figures show that compensation of employees claimed 64 percent of the national income in 1950 and nearly 70 percent in 1956. In the same period, dividends paid to stockholders, the owners of industry, dropped from 3.8 percent to 3.5 percent of the national income. Industry's profits, after taxes and dividends decreased from 3.4 percent to 2.1 percent of sales—a reduction of 38 percent.

Thus, official studies suggest that the big gainers in the boom have been the workers, not the companies or the stockholders. The workers' gains, apparently, have been far in excess of the gains in output per hour, so that the cost of labor in goods and services offered to the public has been pushed up and up. Those companies able to do so are passing their rise in labor cost along in the form of higher prices. Prices on the whole, however, have not risen as fast as wages.

That picture seems to hold true for most of the period since 1939. There is no sign that it is changing. In the last year or so, the rise in wages has speeded up. Prices continue to advance.

The inference by labor leaders is that there is still room to give wage increases out of corporation past profits, even if not out of present profits. This possibility is not borne out by the facts either. The total increase in corporation net profits from 1946–52 was $2.7 billion. During that same period total compensation of employees increased by $77.6 billion. They do not explain to their followers how $77.6 billion can be paid out of $2.7 billion. For most corporations, it was a choice between higher prices or going out of business, resulting in loss of employment to millions of men and women employed in industry.

How long can the wage-price spiral go on? The question is being asked by many businessmen. People whose income lags in the race find their purchasing power reduced. If enough are forced to curtail their buying, then production will suffer, unemployment may result. That fear, expressed by more and more economists today, is giving a sharpness to the debate over wages and prices.

WE MUST PROSPER TOGETHER

Industrial workers represent a small portion of total employment in our country. But they are dependent on the services of many other groups who are caught in this wage-price spiral.

Whereas it is possible to raise wages in manufacturing by increasing the ability of employees to produce, there is very little opportunity to increase the output of, for example, a policeman, or a manicurist, or an elevator operator. However, those people want a rising standard of living, too. When industrial wages are rising, people in the service industries tend to go into industrial jobs. The only way to get and keep people for the necessary service jobs in our society is to offer wages reasonably comparable with those of industrial workers.

Management men and business economists have been saying for a long time that the way to avoid a steady rise in prices and continuing inflation is to share the fruits of increasing industrial efficiency three ways: with employees for their additional output; with investors for the newer and more efficient machinery their money provides; and with the public through lower prices for the goods this machinery produces. If these shares are balanced properly, the service worker also will benefit from rising prosperity without any undue rise in the cost of the services he provides.

If any one group, through monopoly power, or otherwise, prevents a balanced sharing of increasing industrial efficiency we cannot have prosperity without further inflation. If one group continues to stretch the rubber band in its favor, to see just how far it will stretch before a break occurs, the loss to all groups can be sudden and long-lasting. That is a gamble we cannot afford to take.

A DELICATE MECHANISM

To realize how delicate the machinery is adjusted and how easily a single person—manager, worker, seller, buyer—can throw it out of gear, consider the following vicious circle. The circle can start anywhere from one to five.

1. When someone stops buying, someone stops selling.
2. When someone stops selling, someone stops making.
3. When someone stops making, someone stops working.
4. When someone stops working, someone stops earning.
5. When someone stops earning, someone stops buying.

The Hamilton Manufacturing Co. is not immune from the operation of this vicious circle. You have, of course, realized there has been less product "making" during the past 6 months compared with a year ago. That is because quite a few "somebodies" have been doing "less buying" of our products.

During the first half of the present year our shipments were 15 percent below those of the first half of last year. During the same time the company's earnings showed a drop of 22½ percent.

Obviously, we should all be concerned about the further effect of the recent wage increases and the higher prices we will have to pay for materials and supplies used in the business in the future. What effect will they have on the willingness of buyers, who have similar problems, to buy our products?

Have we reached a point where labor in our country has priced itself out of the market? Have we reached a point where labor can no longer safely say "If more inflation comes, we'll simply demand higher wages?" Actually, when higher wage rates mean less work can be provided, it also means that rubber band I referred to has been stretched too far.

But it will then do no good to argue about "Who's to blame?"

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I urge that the rule be suspended and H. R. 17 be passed. This would reduce the so-called 20-percent cabaret tax to 10 percent.

The enactment of H. R. 17 would eliminate a discriminatory tax rate on top of the customer's check for food and

beverages consumed in any place offering entertainment. It has been a deterrent which effect resulted in the failure to obtain employment of more than 250,000 professional musicians, and likewise in addition the tax has cost the jobs of thousands of waiters, waitresses, and culinary workers.

As for my own views, I would prefer outright repeal to modification of this amusement tax. It is, in my opinion, an uneconomic tax. I am convinced the tax costs the Treasury a net loss, because, as previous research of independent economists indicated, if repealed there would be a gain in other revenue to the Government from presently operating entertainment places, plus the personal taxes of the musicians and other workers from their earnings. There is no doubt, too, that there would be reopenings of dining-with-entertainment rooms if the emergency tax to discourage such entertainment was curtailed.

As far as I know I introduced the first cabaret tax repeal measure, which was H. R. 8153, introduced in the House of Representatives on January 5, 1956, in the 84th Congress. I introduced H. R. 858, a similar bill, on January 3, 1957, the first day of the 85th Congress.

During all the intervening period I have consistently urged action on my bill or on companion measures introduced by other Members since my first bill was introduced. This compromise action in H. R. 17 is gratifying, although as I said outright repeal would be preferable.

Of course, the Treasury Department opposes the reduction or elimination of any excise taxes at this time. Its position is firm against opening the door to a reduction in overall Federal revenue. I understand that and the administration's not wanting the subject opened up. But in the reduction in this legislation the principle of tax equality and fairness is involved as well as the argumentative aspects of whether resulting increased entertainment will offset any loss of Federal revenue. The net dollar effect cannot be predicted, but any immediate loss should in time turn into a gain. In any event as to this fiscal year, any loss or gain would be negligible and there certainly will be increased employment and a highly desirable stimulation of business in this field.

Mr. Speaker, I wish to congratulate the Committee on Ways and Means on bringing H. R. 17 to the floor of this House, and strongly urge its enactment to correct a longstanding and misguided Federal tax policy that has caused substantial unemployment of musicians', and others' jobs in the field of recreation.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I rise in support of this legislation. It is much needed, and I believe it will increase the revenues coming to the Federal Treasury because of increased employment in the entertainment professions. I have supported this legislation before the Ways and Means Committee and I urge others to support it on the floor of the House today.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Speaker, I ask unanimous consent to extend my remarks immediately following the passage of this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Speaker, I am very proud of our Secretary of Labor, the Honorable James P. Mitchell, of my home State of New Jersey, who, respected by both labor and management, has turned in the best performance of any Secretary of Labor I have known in my 34 years of service on Capitol Hill.

Jim Mitchell has a ready and forthright answer to any fair question in his field, and on a recent radio program our very able colleague, the gentleman from Connecticut [Mr. MAY], asked him to comment on the present cabaret tax. The Secretary said:

> I think the cabaret tax is discriminatory legislation and I think it should be repealed because it is not conducive to employment in the musicians' field.

The report of the House Ways and Means Committee reads in part:

> Employment of musicians and entertainers as a class has been at a relatively low level as a result of drastic technological changes which have occurred in the entertainment business. The decline in employment begun with the passing of the silent movies and vaudeville in the early thirties, has continued as first radio and then television has increased the emphasis on home entertainment. The trend away from "live" entertainment also has been accelerated by the increase in the use of records in the home and places of entertainment.

Orchestras and bands in the Paterson and Passaic, N. J., area I am priviledged to represent, have contributed many thousands of dollars worth of free time in playing for patriotic and civic events, for churches, for bond drives, and they have suffered the effects of growing unemployment in their type of work. Some of these musicians have found employment in other industries and it has been well pointed out that their return to their chosen profession would open up jobs for others seeking employment.

It is apparent that the committee reviewing the problem of these workers feels that excise collections will offset to some degree the $21 million reduction provided in the bill before us. There are many who contend they will far exceed any reduction, all because of increased employment. I think there is real merit in this argument and I strongly support the bill.

Mr. JENKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to ask the gentleman from Rhode Island [Mr. FORAND]: Do I understand this bill will cut Federal tax revenues by $21 million a year?

Mr. FORAND. Approximately, but the committee feels that it will be recouped in other ways.

Mr. GROSS. Is this the report on the bill?

Mr. FORAND. That is the report on the bill.

Mr. GROSS. And it contains no statement from the Treasury Department or from the Bureau of the Budget.

Mr. FORAND. No, there is no report from those agencies.

Mr. GROSS. Are these agencies opposed to the bill?

Mr. FORAND. On general principles the Treasury is opposed to the loss of even a nickel, regardless of the merits of the question.

Mr. GROSS. Then we will put it this way: The Treasury Department is opposed.

Mr. FORAND. That is their traditional position.

Mr. GROSS. With the Bureau of the Budget and the Treasury both opposed to the bill, I take it, therefore, the administration is opposed to the bill.

Mr. FORAND. The Department of Labor, through its Secretary, is not opposed to it; he favors it.

Mr. GROSS. I wonder if any gentleman on the Republican side can tell me whether the administration is for or against the bill.

Mr. JENKINS. I cannot speak for the administration.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. BOGGS. Does anybody ever know what the administration's position is on anything?

Mr. GROSS. I hoped that someone could enlighten me on this bill.

Mr. JENKINS. If the gentleman will yield, the administration knows what it is doing all the time but I personally do not know what the administration position is on this.

Mr. GROSS. But I assume the administration is opposed to the bill. I have a rather low support record according to Congressional Quarterly and perhaps my opposition to this bill will help my batting average.

I can see no reason why this luxury tax should be reduced to an equal basis with the telephone tax, the tax on luggage, and many other necessities. Could the gentleman from Pennsylvania, Mr. SIMPSON, enumerate some of the present excise taxes and what they are?

Mr. SIMPSON of Pennsylvania. I would rather put it in this way because there are so many hundreds of items: The 20-percent excise tax applies to the cabaret tax, to horseracing, to dog racing, and to club dues. This bill singles out one from the group, namely, the cabaret tax, and reduces it from 20 percent to 10 percent. The 20-percent cabaret tax was a wartime imposition because we felt that was a place where we could cut down waste, if you please. Today that reason no longer exists and there is great unemployment. That is the first reason for the reduction of this tax, it will bring about some reemployment among musicians. The second is

to bring it in line with the other excise taxes which are 10 percent.

Mr. GROSS. If this tax is reduced you would be putting a luxury tax upon an equality with a tax upon necessities. Is not that correct?

Mr. SIMPSON of Pennsylvania. My answer to that is that it would put the cabaret tax on an equality with other luxury taxes.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If we cut this cabaret tax, will the Federal Government have enough money to dig this tunnel under the Potomac River here that we heard about last week, and provide money for other nations? How will that be affected?

Mr. GROSS. I am voting against all those propositions.

Mr. HOFFMAN. So am I.

Mr. GROSS. Of course, some of the people who want to reduce this tax vote for those big spending measures. As far as the gentleman from Iowa is concerned, I am willing to tax luxuries in order to pay these big bills that some of you vote through all the time.

Mr. HOFFMAN. How in any way will this affect, say, the gentleman from Minnesota [Mr. JUDD] and his foreign-aid program. Will this give him less money?

Mr. GROSS. No, I do not think it will make any difference in that respect.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I would like to say to the gentleman from Iowa that I am convinced this legislation will open up new places of business, it will increase employment, and it will result in a net gain in revenue to the Treasury.

Mr. GROSS. I may say to the gentleman from Washington that I cannot think of any tax that ought to be kept where it is more than this one right here until all other excise taxes are reduced or wiped off the books. That is my position. Let us leave these taxes upon luxury items until those upon the necessities of life are either further reduced or repealed. On no other basis will you have taxes based upon ability to pay.

Mr. JENKINS. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, this bill, reducing taxes on cabarets by one-half is described by the author of the bill as a tax-relief measure. It is also stated the relief will amount to approximately $21 million. That will have to be made up from other sources paid by our taxpayers. I am in favor of a tax reduction program when the country can afford it. I hardly think the place to start your tax relief program is to do it on a luxury of this kind. I realize people have a legal right to spend their money in this fashion, including liquor and the things that go with it, if they desire to do so. Why relieve an expenditure that is a real luxury and neglect necessities that are presently taxed?

Something has been said about this tax helping to increase the demand for labor. That is pretty difficult to figure out when you realize the average taxpayer will make up the deficit of $21 million. It is the person who wants the luxury who really gets the relief under this bill. He is in better shape to pay the tax than so many others who cannot afford to make up the deficit.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. What is the gentleman's idea about cabarets?

Mr. REES of Kansas. I do not know much more about cabarets than does the gentleman from Massachusetts except I know that cabarets are luxuries. I certainly have nothing against cabarets as such. The gentleman from Rhode Island describes cabarets as places of relaxation and of entertainment, and a place where people can have food and drink and dance and watch others dance if they like to do so. My feeling, and I repeat, is that since they are really a luxury, I feel that a person who can afford to pay the prices that are required in such places, then they are in a position to pay a little more share of the taxes. I mean luxury taxes.

It is suggested by some of those who have spoken on this measure that if taxes are reduced, more people would be employed. I think it may be possible that a few additional entertainers could be employed, but I cannot see a great rush of reemployment by reducing taxes amounting to over $20 million and charging this amount to other taxpayers. If you would reduce taxes on necessities in the place of this kind of luxury item, it would come nearer being a step in the right direction.

Mr. Speaker, I would like to remind Members of the House this proposed legislation does not carry a recommendation from the Secretary of the Treasury or the Bureau of the Budget, not that it is necessary, but if we had their views, it could be helpful.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Rhode Isand, for whom I have great respect. He is one of the distinguished Members of this House.

Mr. FORAND. I am sure the gentleman realizes that in reducing this tax we are putting to work lots of people who have been thrown out of employment and who cannot get employment at their trade or profession.

Mr. REES of Kansas. That is strange, indeed. Of course, I do not know. I assume the gentleman does not know.

Mr. FORAND. Does the gentleman deny that?

Mr. REES of Kansas. Of course, I do not want to be in a position of denying the gentleman's statement. I do have an opinion there may be other causes or reasons for unemployment in the group he describes. It is the man or woman who buys the luxury who pays the tax.

Mr. FORAND. Is the gentleman willing to help put people to work?

Mr. REES of Kansas. Oh, yes, I want everyone to have work if he wants it. Every workingman in this country is entitled to have a chance for employment. No one would deny that.

If you are in earnest about helping the working people of this country, I think you would do well to consider bringing in a tax-reduction bill on a number of necessities—things people are required to buy—rather than start tax reduction in this fashion.

Mr. JENKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, I would like to call the attention of the Members of the House to the fact we are not beginning to cut taxes in this area. As a matter of fact what we are doing is equalizing what we previously did in cutting all excise taxes to 10 percent. The House did that, but when the bill, in 1955 I believe it was, went across to the other body, that body increased this one item back to 20 percent.

So, what we are doing here is moving in to equalize this area of excise taxation so that it will be like all other excise taxes on luxuries. I might state that the unfortunate thing about this tax is that it has a bad name. In other words, it was called a cabaret tax, and that conveys a certain implication to many people. Actually "cabaret" is not the complete name at all. It is any place where music or any sort of entertainment goes along with the selling of food, merchandise, or refreshments. And, there has been no question about the fact that there has been unemployment in the field of musicians to a large degree because of this tax.

Now, to those who are concerned about revenue, the statement that actually the Federal Treasury will probably gain in revenue rather than lose is well taken, because we have reached the point of diminishing returns in this area. If we reduce the tax from 20 percent to 10 percent, we probably will find that we will be collecting a great deal more in revenue from the tax itself, completely disregarding the other area, which is a very important area, the employment that it would give to many of our unemployed musicians.

As to the administration's position on this matter or the Treasury's position, the Treasury takes a rigid position that any loss in revenue, as they see it, from the immediate effect of applying the tax, they oppose. But, the Treasury also says and recognizes the equity of reducing this tax to 10 percent like all other excises on luxuries. So I would say, in my judgment, essentially the administration is behind this bill, and if the gentleman from Iowa is disturbed about an administration vote, this certainly would not be voting against the administration. There is a technical position that the Treasury takes on all items of reduction of tax rates.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. In view of the fact that the administration has not spoken out in any way and the fact that the report does not contain one word from the Treasury Department endorsing this bill, I think we might label this as the "Democrat Tax Reduction Act of 1957."

Mr. CURTIS of Missouri. No. That would be very unfair. It would do an injustice to the Republican members of the committee. The Treasury Department officials appeared before our committee, and this matter was gone into quite thoroughly, and I might say they recognize the equity of these arguments but for technical reasons, as I previously said, they have opposed it.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Pennsylvania.

Mr. SIMPSON of Pennsylvania. I think it would be well to consider for just a moment the tax in this instance that is levied upon the food that a person buys, but in addition to eating it, listening to music or dancing, and you can certainly justify a reduction in this program because you can go into a restaurant next door, drink and eat exactly the same food and not have to pay the tax. The same holds true in a hotel dining room or a restaurant. So, what we are doing here is taking a tax off the food and avoiding a tax simply because there happens to be music in a place where you eat and drink.

Mr. CURTIS of Missouri. I think the gentleman is very right.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I understand the committee was almost unanimous in reporting this bill out to the House.

Mr. CURTIS of Missouri. I believe it was almost unanimous.

I might say in closing that this is in line with bringing down all luxury taxes to 10 percent. We were really doing an injustice when this one tax was levied at 20 percent when the Congress decided that all excise taxes ought to be at the rate of 10 percent.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. Then, I assume the next step will be to reduce the tax on horseracing and dog racing. Can the gentleman tell us how much the total overall loss will be on horseracing, dog racing, and the cabaret tax, all together?

Mr. CURTIS of Missouri. No, I cannot, but I will say this: I think the gentleman is presumptuous in thinking that the tax on horseracing and dog racing would be lowered. There has been no indication nor has anyone that I know of urged that particular course. I doubt whether that excise tax is beyond the point of diminishing returns, and this is.

Mr. DAWSON of Utah. There are logical reasons for reducing the tax as it is now applied to nightclubs and I intend to support this measure but I have fears it will also be urged on behalf of horseracing.

Mr. CURTIS of Missouri. I do not agree with the gentleman.

Mr. JENKINS. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. DOOLEY].

Mr. DOOLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOOLEY. I rise, Mr. Speaker, in support of H. R. 17 and wish to commend the committee for coming forth with this bill. I think that this measure is a meritorious and long overdue piece of legislation.

The cabaret tax is basically unfair because it is not a normal excise tax in the true meaning of the word but rather a tax which discourages the employment of musicians and entertainers. It is a vestige of the war days when every effort was being made to conserve all resources. This tax was reduced once before by the House from 20 percent to 10 percent, and in reenacting this legislation passed in 1954, I hope that we are more successful. Thousands of musicians and entertainers are unemployed in New York State today because cabarets throughout that State have had to close down due largely to the imposition of this 20-percent tax.

It has been established by those familiar with the problem that more revenue will ultimately go to the Treasury with a 10-percent tax than with a 20-percent tax because more cabarets—as these businesses are called—will go into operation and production in tax revenue.

I support this legislation strongly and hope for its passage by the House.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. MCVEY].

Mr. MCVEY. Mr. Speaker, I wish to associate myself with those who are in favor of this bill. I think this measure should be supported.

Mr. FORAND. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I concur in the comprehensive and splendid statement made by my colleague, the gentleman from Rhode Island [Mr. FORAND]. I trust that this bill will be adopted. It is a bill which should promote employment. I am quite sure that it will result in no net loss of revenue.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a statement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I include the following statement:

ORAL TESTIMONY OF DR. ROBERT C. SHOOK, ON BEHALF OF 20 PERCENT TAX RELIEF COMMITTEE, AMERICAN FEDERATION OF MUSICIANS, BEFORE THE SUBCOMMITTEE ON EXCISE TAXES OF THE COMMITTEE ON WAYS AND MEANS

Mr. Chairman and members of the committee, my name is Robert C. Shook. I am vice president of International Statistical Bureau, Inc., and have been director of research for that organization for some 20 years. I reside in New York, and am appearing today on behalf of the 20 percent tax relief committee of the American Federation of Musicians, to present testimony on the extent to which musicians suffer a hardship, and on the reasons for this hardship.

My organization, in cooperation with Research Co. of America, participated in an extensive investigation of the musicians' position, and of the factors which have affected it, which was completed in 1955.

This investigation involved intensive field work in 33 cities; 23,289 questionnaires mailed to individual musicians; 30,450 questionnaires mailed to members of the Licensed Beverage Association; and reports from 83 local unions having a total membership of 105,648 musicians, or 41.2 percent of the national membership. The study was truly national in scope and its result, combined with other information, provides the first and only case history of the musicians.

The purpose of my testimony is to support the following contentions, on which the American Federation of Musicians bases its plea for relief from the 20-percent cabaret tax:

1. That musicians as a group are in a depressed condition.

2. That establishments subject to the 20-percent cabaret tax still provide substantial job opportunities for musicians; that these job opportunities have declined sharply since this tax was established at the high rate of 20 percent in 1944; and that job opportunities will increase if this tax is repealed.

3. That although the tax is only one of three factors which have created hardships for the musicians, it has had considerable responsibility for their present distress; and further, of these three depressing factors the 20-percent tax is the only one from which it is within the power of Congress to grant relief.

MUSICIANS ARE A DEPRESSED CLASS

There are relatively few jobs for instrumentalists or leaders that are full time in the double sense that (a) the job itself requires the services of a musician full time during the course of the year; and (b) a single musician fills the same job throughout the course of the year.

Most of the musicians who work full time, therefore (and they are in the minority) do so only because they are able to line up enough part-time jobs to keep them busy full time.

The hardship this situation causes for the musician is demonstrated by the job surveys undertaken each year by the American Federation of Musicians. The survey for 1954 lists some 25,864 jobs for musicians. This includes symphony orchestras, theatrical, motion picture production, and radio and television broadcasting, but excludes 18,167 hours in recording and 7,373 hours in electrical transcription. But, except for 303 contract jobs in Hollywood, 1,581 staff jobs in radio and television broadcasting, and a few hundred jobs with the few symphony orchestras that play not only a regular and a summer season but have other engagements as well, all of these jobs were part-time jobs. Furthermore, these 25,864 jobs, plus the available hours in recording and electrical transcription, were enough to provide full-time employment for less than 10,000 musicians. There is no way of knowing how many musicians actually held one or more of these part-time jobs. But it would have been impossible for more than 10,000 musicians to have made a full-time living from them.

AVERAGE EARNINGS LOW

The Census Bureau, in its count of occupations in 1950, reported some 154,000 musicians and music teachers combined. Median earnings were $3,189 a year.

We found, in our study of musicians' earnings in 1954, that the average for those who depend solely on musical activity for their livelihood was $3,454. The median income for musicians in our own sample was slightly less than their average income. I therefore feel safe in saying that there has been little or no improvement in the musicians position from the depressed state reported by the Bureau of the Census in 1954.

EMPLOYMENT OF MUSICIANS LOW

It was stated above that the Bureau of the Census reported a total of approximately 154,000 musicians and music teachers in 1950. The American Federation of Musicians in 1954 reports a membership of 252,512. However, the membership of the federation contains many individuals who are musicians in name only. More than 88,000 members, or 35 percent of the membership, report no musical activities whatsoever. Another 22,000 members are retired and slightly more than 1,000 are arrangers and copyists. About 16,000 of the members are music teachers.

Out of a total membership of slightly more than 252,000, therefore, only 125,000, or slightly less than half, can be described as active musicians in the sense that they report some earnings from musical activity. Only about 83,000 of these are estimated to make more than a half of their living from musical activities, and would qualify as musicians under the census definition.

TWENTY-PERCENT PLACES IMPORTANT TO MUSICIANS

In our survey, we obtained detailed reports from 560 establishments, both on their cabaret-tax payments and on their employment of musicians. Based on this sample, which accounted for $9,068,390 in cabaret-tax payments in 1954, or 23.1 percent of the total, employment of musicians in establishments subject to this tax is estimated at 26,865 man-years. The many part-time jobs were translated into man-years on the basis of 5 days a week, 52 weeks a year.

The great importance of these 20-percent places, in relation to total employment of musicians, is indicated both by reports from individual musicians and by reports from local unions on the employment of their members. Reports from individual musicians indicate that 48.6 percent of their jobs are provided by these establishments and the reports from local unions indicate that some 42.7 percent of their members' employment is in 20-percent places.

JOB LOSSES SINCE 1943 IN 20-PERCENT PLACES

In our interviews with establishments now subject to the 20-percent cabaret tax, there were 159 which were in business in 1943, when the tax was only 5 percent, and which could provide comparisons of employment policy in 1943 and 1954. These establishments in 1954 paid a total cabaret tax of $4.5 million, or 11.5 percent of total cabaret tax collections.

Between 1943, when the tax rate was 5 percent, and 1954, when the tax rate was 20 percent, the decline in the employment of musicians in these places amounted to 45.5 percent when measured in man-days; and 56.5 percent when measured in man-hours.

It is not claimed that the increased tax rate is the sole factor responsible for this sharp decline in employment. The presumption that it was the major cause of unemployment, however, will be discussed under the next heading.

FACTORS CONTRIBUTING TO THE DISTRESSED CONDITION OF MUSICIANS

Three factors have been chiefly responsible for the distress now experienced by musicians.

One is technical in nature. The very same advances in technology that have made it more possible for a growing audience to hear music, have made it less possible for musicians as a class to earn their living by playing music.

The first big blow dealt to musicians by technical progress came in the early thirties, when within a 3-year span more than 13,000 movie houses were wired for sound; the number of silent movie houses was reduced from 22,544 in 1929 to 4,835 in 1932.

These drastic changes in the entertainment business—the passing of silent movies and vaudeville—caused a loss of about 25,000 jobs for musicians, most of them good jobs that provided regular employment. This number of lost jobs, in fact, was enough to take care of about 20,000 musicians on a 100-percent full-time basis.

Technological change created some new jobs, as well as eliminating many old ones. Radio broadcasting, and later on television, were technical changes that helped to a very minor degree to offset technological job losses by creating new jobs for musicians. Combined, however, these new jobs represented employment for only about 3,500 musicians on a full-time basis.

There were also a limited number of further job increases for musicians, chiefly during the postwar years, due to the high level of income. The great expansion in canned music and entertainment, through radio, television, and the juke box, had not killed the public's interest in live music and entertainment. The increase of jobs in opera and ballet, in dramatic and musical plays, and in symphony orchestras, was enough to provide jobs for an additional 1,500 musicians on a full-time basis.

Two other factors, apart from technological change, have caused distress for musicians.

One of these has been the 20-percent tax. Job losses in establishments subject to the cabaret tax, during the period in which the tax has been at the high rate of 20 percent, have amounted to approximately 25,000 man-years.

During this same period, of course, other factors existed, which could be expected to have an adverse effect on the businesses of these establishments and on their employment of musicians.

One of these was the development of television as a mass medium of home entertainment. The other was the sociological phenomenon associated with the high marriage and birth rates and the expansion of Suburbia as the Nation's dwelling place; the public not only had television available as a means of home entertainment, but was unusually receptive to the whole idea of home entertainment. But to what extent were these social changes responsible for job losses in 20-percent places between 1943 and 1954, and to what extent was the high rate of the tax responsible? The following calculations throw a great deal of light on this question.

Consumer expenditures in eating and drinking places are reported by the Department of Commerce. Consumer expenditures in similar places, during hours when there is dancing or live music and entertainment, and the 20-percent tax applies, can be calculated directly from the cabaret tax receipts. Now it seems to me that, if it had been primarily the social changes which kept people out of eating and drinking places during the prosperous postwar period, all such places would have suffered equally. But this is not the case. Total consumer expenditures in eating and drinking places, taxed and tax-free combined, showed an increase of 102 percent between 1943 and 1945. I am therefore compelled to believe that the high tax rate of 20 percent has been chiefly responsible for the decline of 40 percent which took place, between fiscal 1943 and fiscal 1955, in consumer expenditures for meals and beverages which were subject to this tax.

TWENTY-PERCENT TAX DEPRESSES BUSINESS

The American Federation of Musicians is asking this Committee for relief from this tax, which has so plainly had major responsibility for the loss of some 25,000 jobs for musicians, in establishments which still provide 45.6 percent of the employment opportunities now open to musicians.

To what extent will the repeal of this tax help relieve the hardships which musicians now experience?

We have two sorts of evidence to present with regard to this question.

One is based on carefully conducted interviews with 159 owners and managers of establishments who did business in 1943 under a 5-percent-tax rate, who were still in business at the time of this survey, and who paid 11.5 percent of the total cabaret tax collected under the 20-percent rate in 1954. These establishments have managed, by cutting down taxable time by 40.6 percent, and man-hours of employment for musicians by 56.5 percent, to remain in business.

These proprietors tell us without qualification that, upon repeal of the 20-percent tax, there will be an immediate increase in days per week, and in hours per day, for the musicians they now employ, back to the 1943 level. This would result in an immediate increase in job opportunities for musicians in these establishments of some 51 percent. These proprietors also expect to increase the number of musicians they employ. This, combined with the increase in days per week and hours per day, would increase employment in these establishments by some 68 percent.

These estimates express the intentions of proprietors themselves. Is it reasonable to believe that these intentions will be carried out if the tax is repealed? My second point is a commonsense point, which deals with this question.

BETTER RETURN ON CAPITAL INVESTMENT

These establishments have a capital investment in entertainment facilities. The use of these facilities has been reduced greatly since the tax was increased to 20 percent. An immediate lengthening of days per week for musicians, and hours per day, would represent no more than a natural attempt by these essentially small-business men to obtain a better return on investment. It is entirely believable, therefore, that there will be a very rapid and substantial expansion in total entertainment and dancing hours, and in the employment of musicians, if the 20-percent tax is repealed.

This testimony can be summed up briefly.

1. An extensive study has been conducted of the economic position of musicians. The results of this study show that musicians as a group now experience great hardships. There have been job losses caused by technological change, and there have been job losses in establishments subject to the cabaret tax during the period in which this tax has remained at the high rate of 20 percent. Since consumer spending in similar establishments not subject to this tax has risen sharply throughout the postwar period, the high rate of this tax, in our opinion, must bear a substantial part of the responsibility for the job losses in these establishments.

2. If the committee grants that musicians, wherever they may find employment, are important to our cultural development and leadership, then we appeal to the committee to consider this 20-percent tax in human, rather than revenue, terms. The revenue is a pittance—some $40 million annually. The human and cultural loss is incalculable. In my own interviews in many cities, I met not one musician who wanted his own son or daughter to pursue music as a career.

COST OF ENFORCEMENT HIGH

3. The administration and interpretation of this tax are difficult and vexing. The

costs of administering and collecting this tax must be high.

4. This tax is discriminatory. Almost all other emergency excise taxes have been eliminated or substantially reduced. Food and beverages are taxed only when dancing and/or entertainment are provided simultaneously, and no other form of entertainment is now taxed at the 20-percent rate.

5. We do not claim that repeal of the 20-percent tax will solve all problems of the musical artist. Repeal of this tax, however, is the only alleviating action which is within the power of the Congress to undertake. And we have, we believe, presented strong evidence that such repeal will result in a very substantial improvement in employment opportunities for musicians as a group. In human and cultural terms, this will be a great gain.

Thank you, Mr. Chairman and gentlemen of the committee.

Mr. FORAND. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain communications.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I wish to join my colleagues in commending the gentleman from Rhode Island [Mr. FORAND] for his excellent explanation of the advantages of this bill. It clearly will result in more employment; it will harm no one, and the committee obviously feels it will ultimately result in greater revenues for the Federal Treasury.

Many of my valued constituents have written to me in support of H. R. 17, and I am happy to quote their views below. I strongly hope the bill will pass.

LOS ANGELES, CALIF., *August 1, 1957.*
Congressman JAMES ROOSEVELT,
Washington, D. C.:

For and on behalf of 3,600 members of Waiters Union Local No. 17, Los Angeles, we respectfully urge you to support and vote for bill H. R. 17, which would reduce the entertainment tax to 10 percent on cabarets. This would encourage many of the cabarets to reopen and give employment to many members in the restaurant industry and also aid many employers who are suffering under the present 20-percent-tax burden.

EDWARD SIMPSON,
President.
CHARLES STIRNER,
Secretary-Treasurer.

HOLLYWOOD, CALIF., *August 2, 1957.*
Congressman JAMES ROOSEVELT,
District No. 26, California,
House of Representatives,
Washington, D. C.:

We understand that H. R. 17, re cabaret tax, is to be acted upon Monday, August 5. Earnestly solicit your attendance at this session and request your "yes" vote on same.

ELIOT DANIEL,
President, Local 47, American Federation of Musicians.

LOS ANGELES, CALIF., *August 1, 1957.*
JAMES ROOSEVELT,
Twenty-sixth District, House of Representatives, Washington, D. C.:

On behalf of the 21,000 members in the city of Los Angeles, we request a "yes" vote immediately on H. R. 17 because it is of vital interest to hotel, club, and restaurant employees. As you know, this will encourage the reopening of several hundred entertaining spots throughout the State and aid employment to several thousand members of our craft.

Very truly yours,
PAUL E. GREENWOOD,
Secretary-Treasurer, Los Angeles Joint Board of Hotel and Restaurant Employees Union, AFL–CIO.

HOLLYWOOD, CALIF., *August 2, 1957.*
Congressman JAMES ROOSEVELT,
District No. 26, California, House of Representatives, Washington, D. C.

The board of directors of Local 47, American Federation Musicians, representing 16,000 musicians in the Los Angeles area who are vitally affected by cabaret tax bill H. R. 17 earnestly urge your attention when bill comes up for vote on Monday and request your yes vote.

BOARD OF DIRECTORS, LOCAL 47, AMERICAN FEDERATION MUSICIANS.

LONG BEACH, CALIF., *August 3, 1957.*
Hon. JAMES ROOSEVELT,
Washington, D. C.:

We understand H. R. 17 will come up before Congress on Monday, August 5th under suspension of rules. We sincerely hope you are able to be present and give us your support on this bill. Kindest regards and hope to see you when you return to the Southland.

MARY E. DICKINSON,
Secretary, Musicians Association, Long Beach, Calif.

LOS ANGELES, CALIF., *August 2, 1957.*
Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D. C.:

Will greatly appreciate your favorable consideration of H. R. 17 which I understand will be voted on August 5. Regards.

J. C. MEACHAM,
General Manager, Hotel Statler.

LOS ANGELES, CALIF., *August 2, 1957.*
Congressman JAMES ROOSEVELT,
House of Representatives,
Washington, D. C.:

We urge you to support H. R. 17 and seek an early vote on it before the summer vacation.

Your friend,
BILL POLLARD.

LOS ANGELES, CALIF., *August 2, 1957.*
Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D. C.:

We urge your favorable consideration of H. R. 17, which is expected to be voted on August 5.

C. W. HUDGENS,
Manager, Mayfair Hotel.

CALIFORNIA STATE
HOTEL ASSOCIATION, LTD.,
Los Angeles, July 31, 1957.
Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN ROOSEVELT: H. R. 817, introduced by Representative AIME J. FORAND, Democrat, of Rhode Island, and calling for 50-percent reduction in the cabaret tax, is expected to come before the House for a vote on August 5. The hotel industry is very much interested in the passage of this bill, as we have long felt the squeeze of this excessive levy. Representative FORAND, and I am sure, yourself, knows that the public resistance to the 20-percent tax has been responsible for the closing of entertainment rooms far and wide. Back in 1940 there were an estimated 700 rooms in hotels, alone, in this country, where entertainment was offered and where the tax was applicable. This number has now shrunk to approximately 175.

Congress has already reduced all admission taxes to 10 percent, leaving only the cabaret tax at the 20-percent level. As you know, the tax covers food and other services besides liquor. There are 13 States where legal liquor may not be served, but where this tax has made it impractical to offer entertainment in the hotel dining room.

With a 50-percent reduction in the cabaret tax, we feel sure that public resistance would be overcome and many entertainment rooms reopened. This would recoup the employment losses occasioned by the culinary and musicians unions, and in the end produce far greater revenue to the Government from the various tax sources.

Your favorable consideration and support of H. R. 17 will be appreciated by the members of the California State Hotel Association.

Thanking you, I remain,
Respectfully yours,
Bill R.,
WILLIAM C. ROBINSON,
Managing Director.

SOUTHERN CALIFORNIA
HOTEL ASSOCIATION,
Los Angeles, Calif., July 30, 1957.
The Honorable JAMES ROOSEVELT,
House of Representatives,
Washington, D. C.

MY DEAR MR. ROOSEVELT: During the Second World War a number of nuisance taxes were invoked to slow spending, such as the admission tax and cabaret tax. Practically all admission taxes have been reduced to 10 percent. We believe if the cabaret tax was abolished or reduced, the Government would benefit by other taxes.

The employment of musicians, waiters, cooks, etc., in these eating establishments should increase greatly as the number of rooms with entertainment and where tax is applicable, has shrunk 25 percent of the number that existed before this tax was levied.

We hope you will give every consideration to H. R. 17, which calls for 50-percent reduction in the cabaret tax.

Sincerely yours,
SOUTHERN CALIFORNIA HOTEL ASSOCIATION.
CHESTER B. CALDWELL,
Executive Vice President.

Mr. FORAND. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I want to commend the Committee on Ways and Means for bringing this legislation in. I have received numerous letters through the years from restaurants and dining halls in my district asking for the repeal of this special tax. Over half the so-called cabarets and restaurants in my district have closed their doors during the last few years because of this exorbitant tax. Let me say further, it has reduced the tax that the Government at one time collected from these restaurants in my district by over 50 percent. If this tax is lowered from 20 percent to 10 percent the return which the Government receives will be greatly increased. Furthermore, it has brought about a situation in my district where these honky-tonk music box places are getting the business that legitimate restaurants, dining halls, and cabarets previously had. This unjust tax has caused tens of thousands of musicians, waiters, and

other workers to have been thrown out of employment during the last 10 years.

This legislation should be enacted into law and restore a tax equality to an industry which has been subjected to an unfair and unjust tax burden.

Mr. FORAND. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, this bill conforms to the Constitution of the United States which provides that all taxes shall be uniform. Therefore I favor the bill.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds having voted in favor thereof, the rules are suspended and the bill is passed.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and thirty-seven Members are present, a quorum.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to reduce the cabaret tax from 20 percent to 10 percent."

A motion to reconsider was laid on the table.

H. R. 8002

Mr. MORANO. Mr. Speaker, adoption of H. R. 8002 by the Congress would in effect serve notice that the Congress will henceforth dispose of appropriations in a sound and businesslike way.

This bill, incorporating the economy proposals of the Hoover Commission, would establish Congressional control over the budget, it would require an annual account of spending by Government agencies, and would keep Congress informed each year as to how the appropriated funds were being spent.

It is incredible that such a bill had not been made the law of the land many, many years ago. Surely, it is long overdue.

This measure has been endorsed by the President, by the bipartisan Hoover Commission, the Budget Director, the Comptroller General, and fiscal experts of every persuasion.

Despite this strong endorsement, backed by the pleas of countless thousands of economy-minded citizens, this bill is opposed by some well-informed members and now by Secretary of Defense Wilson, even after the administration's strong approval.

The objections of the opponents, in the clear right of reason, fail to convince me that this legislation is not necessary and not prudent.

I earnestly hope that the leadership will program this bill for action. Certainly the House should be given the opportunity to debate and vote this measure—which was unanimously approved by the Senate—up or down on its merits.

SOCIAL SECURITY COVERAGE UNDER STATE AGREEMENT FOR POLICEMEN AND FIREMEN

Mr. COOPER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4770) to amend title II of the Social Security Act to permit policemen and firemen in positions covered by retirement systems to obtain social security coverage on the same basis as other State and local employees, with the committee amendments as printed in the bill.

The Clerk read as follows:

Be it enacted, etc., That subparagraph (A) of section 218 (d) (5) of the Social Security Act is amended to read as follows:

"(A) For purposes of this subsection, a retirement system which covers—

"(i) positions of policemen and firemen, or

"(ii) positions of policemen or firemen, or both, and other positions,

shall, if the State concerned so desires, be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the case may be."

SEC. 2. (a) Section 218 (d) (1) of the Social Scurity Act is amended—

(1) by striking out ", and except in the case of positions excluded by paragraph (5) (A)" in the first sentence; and

(2) by striking out "(other than a position excluded by paragraph (5) (A))" in the second sentence.

(b) Section 218 (d) (3) of such act is amended by striking out "excluded by or pursuant to paragraph (5)" each place it appears and inserting in lieu thereof "excluded pursuant to paragraph (5)."

SEC. 3. Subsection (p) of section 218 of the Social Security Act is repealed.

SEC. 4. Notwithstanding subsection (f) of section 218 of the Social Security Act, any agreement, or modification of an agreement, with any State under such section may, if such agreement or modification is agreed to prior to 1959, be made effective with respect to services performed in positions covered by a retirement system which covers positions of policemen or firemen, or both, which are performed after an effective date specified in the agreement or modification, except that in no case may such date be earlier than December 31, 1955.

The SPEAKER pro tempore. Is a second demanded?

Mr. JENKINS. Mr. Speaker, I demand a second.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the purpose of H. R. 4770 is to amend the Social Security Act to permit policemen and firemen in positions covered by retirement systems to obtain coverage under the Social Security Act. I should like to emphasize at the outset that this bill merely extends to all of the States the same option which was extended in the 1956 amendments to five specific States. It is not mandatory, but extends an option.

As may be recalled, prior to the 1956 amendments there was a provision in the Social Security Act which prevented coverage of policemen's and firemen's positions under old-age and survivors insurance. In the 1956 amendments, a provision, which was added by the other body, made an exception to this exclusion in the case of five specific States, thus making it possible for policemen and firemen in those five States to be covered under old-age and survivors insurance.

Since that time, policemen and firemen in many other States have indicated their desire to be included. The Committee on Ways and Means, at the time of considering H. R. 4770, had pending before it some 31 bills which would have extended coverage either to policemen and firemen in all of the States or to them in specific additional States. As I recall, at least some nine specific States were involved in these pending bills. The committee considered it a sounder approach to this matter to deal with it through general legislation rather than to continue the practice from time to time of adding specific States to those named in the 1956 amendments.

As is pointed out in the report, the Committee on Ways and Means believes that existing law provides adequate assurance that old-age and survivors insurance coverage will be extended only to groups of policemen and firemen who want such coverage. Under the present referendum provisions of the Social Security Act, members of a State or local government retirement system group have a voice in any decision to cover them under old-age and survivors insurance. In general, no retirement system group may be covered unless a majority of the members of the group, not just a majority of those voting, vote in favor of coverage in a referendum. The law also lays down requirements with respect to the conduct of the referendum to insure that all members of a retirement system will be accorded opportunity to participate and register their desires.

In those cases where policemen and firemen are in systems with other classes of employees, coverage can be extended to the policemen alone, to the firemen alone, or to both the policemen and the firemen under this legislation, at the option of the State concerned. The local political subdivision, for all practical purposes, decides whether its employees will be covered by old-age and survivors insurance, subject of course to the referendum and other requirements of the act.

Mr. Speaker, I urge adoption of H. R. 4770.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Louisiana, a member of the committee.

Mr. BOGGS. Is it not a fact that the committee adopted this approach to the bill that our distinguished chairman is now discussing in order to prevent the necessity for the passage of a whole flock of individual bills affecting the individual States?

Mr. COOPER. The gentleman is correct. There were, as I remember it now, nine additional States requesting the same type of permissive legislation that

had been previously granted to five States. My State of Tennessee was one of those requesting permission. New York, Pennsylvania, and quite a number of other States were requesting the same permissive legislation that had previously been passed for the five States.

Mr. BOGGS. So that if this bill is passed the only difference will be that any State can qualify, rather than five States that are expressly designated in the law?

Mr. COOPER. The gentleman is correct.

Mr. BOGGS. Insofar as the permissive authorization is concerned and the voluntary aspects of it, this proposal changes nothing?

Mr. COOPER. That is correct.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Georgia.

Mr. LANHAM. I want to commend the chairman of the committee and the committee for reporting this bill. My own State wants this legislation, and I introduced such a bill to apply only to the State of Georgia. I think it is much wiser to have it apply to all States, and I urge the membership to vote for the bill. It is entirely voluntary, and I cannot see how anyone could object to it.

Mr. COOPER. I appreciate the gentleman's remarks. I had introduced such a bill and the gentleman from Tennessee [Mr. REECE] had introduced such a bill for the State of Tennessee. We found all these other States wanting the same permission provision provided for them, so we thought in all fairness that the permission should be granted to all the States of the Union, if they wanted it. If they do not want it, they do not have to take it.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

Mr. ROGERS of Colorado. I understand that no hearings were had on this legislation by the committee. That is, no hearings were had as to the legislation now being considered. Is that correct?

Mr. COOPER. No public hearings were held. It was not necessary.

Mr. ROGERS of Colorado. Does the gentleman feel that it is not necessary in view of the history in connection with the extension heretofore granted to firemen and policemen, as is indicated by the strong Senate committee report in 1950, which said that the people were overwhelmingly opposed; that is, the policemen and firemen were opposed to this legislation?

Mr. COOPER. That is not the information we have received. I cannot yield further.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

Mr. MORANO. The gentleman has made a statement in which he says the local firefighting unit by local referendum can elect, by a majority vote of its members, to come in or to stay out?

Mr. COOPER. That is correct.

Mr. MORANO. Why would the Stratford, Conn., fire-fighters oppose this legislation?

Mr. COOPER. I am unable to tell the gentleman. The local governing body can vote to take them in or leave them out after they have a referendum of the people themselves and a majority of those eligible have decided if they want to come in.

Mr. MORANO. Will the gentleman yield further?

Mr. COOPER. I cannot yield further at this time.

Mr. DENTON. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Indiana.

Mr. DENTON. The firemen in the district I represent are very much opposed to this legislation. They say that they have a pension fund of their own and they have paid into it for a number of years. Their duties are very hazardous, much more so than most other people, and the benefits they receive under this pension act of theirs is more beneficial to them than social security. What they are afraid of is that if this social security amendment is passed, as new members come in the fire department, these new members will cause their rights which they have under their firemen's pension to be lost or impaired. They object very bitterly because they were not given a hearing before the Ways and Means Committee. They wanted to present their point of view.

Mr. COOPER. I do not yield further.

I invite the gentleman's attention to this statement on page 3 of the committee report on the pending bill:

> In addition, existing law contains a declaration that it is the policy of the Congress that the protection afforded members of a State or local government retirement system not be impaired as a result of the extension of old-age and survivors' insurance coverage to members of the system.

Mr. TRIMBLE. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

Mr. TRIMBLE. Many policemen and firemen, especially from Fort Smith in my district, are opposed to this legislation because they feel that if they should go under it the retirement system they now have would be jeopardized. I believe the gentleman from Tennessee just now stated in answer to a question by the gentleman from Indiana that it is entirely up to the local people as to whether or not they come under.

Mr. COOPER. That is correct.

Mr. TRIMBLE. And if they do come under they can elect whether they go under social security and if they go under social security they can have both.

Mr. COOPER. Absolutely.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from West Virginia.

Mr. BAILEY. Will the distinguished gentleman answer a question for me? Suppose my firemen in the city of Clarksburg, W. Va., sign a petition in opposition and yet the council of the City of Clarksburg went into it and found that the social-security payments are less, and the city wanted to take them into social security when the firemen and policemen think their own pension-fund plan is better. What is there in the legislation to make that possible?

Mr. COOPER. The City Council of Clarksburg, W. Va., cannot decide the matter. It is not whether they go in or stay out, there has to be a referendum by all the people affected.

Mr. BAILEY. The particular point that I wanted to be sure of was that there is a referendum provision in the legislation that permits a majority of those affected to decide before going in.

Mr. COOPER. Not only a majority of those voting, but a majority of the people affected have to vote in favor of it before they go in.

Mr. BAILEY. I thank the gentleman.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

Mr. LANE. First I want to thank the gentleman for yielding to me and to say to him that we in Massachusetts are proud of our retirement system for our firemen and policemen. These groups are opposed to the bill, first, because they have not had an opportunity to be represented and to be heard before the gentleman's committee at public hearings on this bill since no hearings were scheduled; and, second, they are fearful their own retirement system may be lost in the maze of social-security legislation and system. However, I thank the gentleman for his kind explanation of the voting procedure in the bill, but my constituents still feel this legislation will be injurious to their retirement rights. In spite of all the assurances advanced by you, the firemen and policemen I represent back home are not for this bill; and, for that reason, I shall oppose the gentleman in this matter and hope that the bill will be killed.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Can the gentleman show me where the policemen and firemen have in any way been injured under this bill?

Mr. COOPER. I cannot.

Mr. BOLAND. Is it not a fact that if the police and firemen have their own system they can still stay in it; that the vote is entirely in those groups alone?

Mr. COOPER. That is correct.

Mr. BOLAND. And if they are members of another system, let us say, and all the city employees are combined into one retirement group, is it not a fact that under this bill the firemen and policemen can vote independently?

Mr. COOPER. Yes; that is correct.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield.

Mr. WRIGHT. I am inclined to favor the bill because many firemen and policemen need both a local retirement system and social security to provide a worthwhile retirement. Yet I should not want to see existing retirement plans abolished. I want to ask the gentleman how effective is this language in the existing law in prohibiting the thing that some of the firemen and policemen have feared, that coverage under social security might be used locally as a means

to deprive them of their own individual program and its retirement pension?

Mr. COOPER. I invite the gentleman's attention to the statement I read from page 3 of the committee report. I am sorry I cannot yield further. I have only 4 minutes left.

Mr. CRETELLA. Mr. Speaker, will the gentleman yield for one brief question?

Mr. COOPER. I yield briefly.

Mr. CRETELLA. Is the matter of coverage decided at the city, the county, or the local level?

Mr. COOPER. The local government can decide and make application to the State to be included.

Mr. CRETELLA. Then one municipality can be for it and the other against it?

Mr. COOPER. Each can decide for itself.

Mr. CRETELLA. One can be covered and the other not?

Mr. COOPER. That is correct. I am sorry, but I cannot yield further.

Mr. JENKINS. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, H. R. 4770 would provide under certain safeguards an opportunity to obtain old-age and survivors insurance coverage to policemen and firemen who are covered by a State or local retirement system. Under present law such individuals are mandatorily excluded from participation in the program.

Mr. Speaker, I would stress the fact that this legislation would merely accord policemen and firemen an opportunity to come under OASI coverage and does not make coverage compulsory. I believe it important to stress this fact because many Members of Congress have spoken to me about communications they had received from their districts, some of them expressing an interest in such coverage, some of them expressing opposition to such coverage. This bill will let each retirement group work its own will with respect to whether or not they will come into the social-security program.

It is important that social security be available to those policemen and firemen who work in communities where there is not an actuarily sound and a funded retirement system in operation. The legislation is not so important in the larger communities in our Nation where an actuarily sound retirement system is in existence. The referendum procedure and the necessity for obtaining State consent will provide the necessary safeguards to assure that those coverage groups who do not want to come under the bill will not be forced to do so.

Mr. JENKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time in order that I might ask one or two questions. The gentleman from Tennessee has made a very splendid explanation of the purpose and content of this bill, yet I want to pin down for my own information and that of my constituents in Ohio some of the sections and provisions of this measure so that there will be no misunderstanding about them.

We have had in Ohio for a great many years under State law some very excellent retirement plans or programs for our policemen and firemen as well as for school teachers and State employees. If I understood this bill correctly, this is purely a permissible plan that is carried in this measure which will permit State and local benefit funds and plans to come under social security, is that correct?

Mr. COOPER. The gentleman is correct, and it is in response to a widespread request from States and from Members of this House. There were 31 bills introduced by Members of the House requesting this.

Mr. BROWN of Ohio. No benefit plan or pension plan, either State or local, would come under this legislation unless the State itself would give its consent, is that correct?

Mr. COOPER. That is correct.

Mr. BROWN of Ohio. What State authority would give the consent? Who would you expect to give that consent? Would it be the State legislature or the State welfare director or someone of that sort?

Mr. COOPER. Well, of course, whoever is the proper authority in the State.

Mr. BROWN of Ohio. It is not spelled out in the bill and I do not know that we spell it out in our State law that somebody has authority to do something that the Federal law does not provide they might do.

Mr. COOPER. It would take enabling legislation in the State legislature.

Mr. BROWN of Ohio. The State legislature would have to approve these various State and local funds?

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. There is a big question here. The State legislature and the municipality and the group would have to agree. The thing I want to point out to the gentleman from Ohio and the members of the committee is this: Suppose you have a system where you have 6,000 civilian employees and 2,000 firemen and policemen. They are all under one system. They say that the policemen and firemen cannot be compelled to come under this. Under the authority given to the Governor or to the State they would say to that city, "Well, now, the employees can come in and vote" and the 6,000 employees do vote to come in under it, and the 2,000 policemen and firemen vote against them, the majority would control and the firemen and policemen would be under against their will.

Mr. COOPER. I invite attention to this statement on page 3 of the report:

> Moreover, under the bill, where policemen and firemen are in a retirement system with other classes of employees, the policemen or firemen (or both together) may be treated as if they were members of a separate retirement system.

Mr. BROWN of Ohio. That is permissible and may be; but will it? That is the question. Is that definite agreement or assurance given?

Mr. COOPER. It is at the option of the States.

Mr. BROWN of Ohio. In other words, if the State officials, whoever they may be and you do not spell that out, whether it is the welfare director, the legislature, or the Governor, agree to make a policeman's retirement fund subject to social security, you would still have to go back and get the consent of the majority of the members of your policemen's benefit association or organization?

Mr. COOPER. The gentleman is correct. Bear in mind, your great State of Ohio and my State of Tennessee have to make application to the Federal Government for their employees to be included under social security. They have to initiate it.

Mr. BROWN of Ohio. Then, after that is done, it is still up to the individual members or a majority of them to vote for it.

Mr. COOPER. That is right.

Mr. BROWN of Ohio. If they should refuse it, they cannot come under even if the State employees have it?

Mr. COOPER. There has to be a referendum.

Mr. BROWN of Ohio. Now, what becomes of the funds that are already paid in to these retirement systems and plans under State law such, we will say, as the local city police funds, police retirement fund, or firemen's retirement fund, or State funds? What becomes of those? Do those go into the social security fund and do they get credit for the years they spent in the service?

Mr. COOPER. I cannot do more than again invite attention to the statement on page 3 of the report:

> In addition, existing law contains a declaration that it is the policy of the Congress that the protection afforded members of a State or local government retirement system not be impaired as a result of the extension of old age and survivors insurance coverage to members of the system.

Mr. BROWN of Ohio. The gentleman can understand what I am trying to do here. I am trying to get a statement of the chairman of the Committee on Ways and Means to buttress and support whatever action may be taken on this bill today as we answer our queries from home.

Mr. COOPER. I appreciate the gentleman's contribution.

Mr. BROWN of Ohio. Then, under this system, as you have suggested in the statement you have just made, no policeman, or fireman, should he be taken into the Social Security System, would lose any benefits that he would have received if he had remained under his other system.

Mr. COOPER. We cannot tell a State what it has to do.

Mr. BROWN of Ohio. The State system or local system now provides certain benefits. By being brought under this Social Security System, you say his rights would not be impaired. That means, does it not, that he would be guaranteed at least what he would have received if he had not entered the Social Security System but instead had stayed under the State system or the local system?

Mr. COOPER. That is exactly what we mean in the existing law.

Mr. BROWN of Ohio. That is the gentleman's understanding of the law?

Mr. COOPER. Yes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I want to compliment the gentleman from Ohio for the very pertinent questions he has raised. My concern with this bill is the same as his, that this not be the entering wedge to force police and firemen under the Social Security System who want no part of it as a substitute for their own pension programs.

Mr. BROWN of Ohio. I thank the gentleman.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Kentucky.

Mr. PERKINS. I do not feel that any of the Members would want to vote for a piece of legislation that would disrupt existing retirement systems in the various States.

Mr. BROWN of Ohio. Well, I certainly do not want to do that.

Mr. PERKINS. As I understand, this is only permissive to give them additional coverage, if they see fit, in addition to the present retirement system.

Mr. BROWN of Ohio. I do not think it is in addition to the other, but it is a substitute for it.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Speaker, there may be some misunderstanding as to the import and the purpose of this bill, which misunderstanding may have arisen because there were no public hearings and the representatives of the local police and fire departments were not given an opportunity to express their views or get a full and complete understanding of the purpose of this measure. There should have been hearings. Firemen and policemen the people to be affected, should have had an opportunity to express their views, desires, and objections. I have a letter here received from the secretary of the Police Relief Association from my home city of Kansas City, Kans., and they tell me that the entire membership of the police department of Kansas City is on record as opposed to the passage of this bill and asking my efforts to defeat it:

CITY OF KANSAS CITY, KANS.,
DEPARTMENT OF POLICE,
August 2, 1957.

Representative E. P. SCRIVNER,
House Office Building,
Washington, D. C.

DEAR SIR: It has been called to our attention that a bill was recently introduced by Representative HERMAN B. EBERHARTER (H. R. 4770) that would include all police and fire departments under the Social Security Act.

We are writing you in behalf of the entire police department of this city, who feel that if this bill were passed it would eventually be detrimental to and conflict with our present pension plan which we have worked so hard through the years to obtain.

The entire membership of this department want to go on record as being opposed to the passage of this bill and want to ask your help in defeating it.

Sincerely,

Capt. JESS BORING,
Secretary, Police Relief Association.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. May I say to the gentleman that I have in my hand correspondence from those belonging to a similar association in the State of Illinois, from which I quote as follows:

Police officer, Downers Grove, Ill.:

We as police officers of the State of Illinois feel that we do have a just and adequate pension plan, and bitterly oppose being placed under social security. I therefore strongly urge you to vote against House bill 4770.

Police officer, Oak Park, Ill.:

The security of the Illinois police plan is what I want for my family, which social security could not give.

Secretary, unit No. 62, Policeman's Benevolent and Protective Association of Illinois, Monmouth, Ill.:

I polled the members of this department, and to a man they have voted "no" against social security. We have bitterly opposed all measures in the past that would place us under social security, and shall continue to oppose such.

Police officer, Brookfield, Ill.:

I humbly beg that you strenuously oppose H. R. 4770.

Lieutenant of police, North Chicago, Ill.:

It is the urgent desire of this police association that this bill be opposed (H. R. 4770), and we solicit your support to oppose this bill.

President, Waukegan, Ill., Police Association:

The members of the Waukegan Police Association are opposed to House bill 4770. * * * Please act in our behalf to see that Illinois police officers remain exempt from any social-security status.

Police officer, Alton, Ill.:

The Policemen's Benevolent and Protective Association of Illinois, representing 4,500 downstate police officers, are opposed to House bill 4770.

Both in the city of Chicago and downstate there is strong opposition to this bill. They are unalterably opposed to the legislation and urge that it be at least held over until hearings can be held. I shall vote against the bill.

Mr. SCRIVNER. I thank the gentlewoman.

Mr. JENKINS. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Speaker, I believe many of the questions I had in mind relative to this legislation have been answered by the chairman of the Committee on Ways and Means. However, I go back to 1954, when the legislation was first proposed and delegations of firemen and policemen appeared before the Committee on Ways and Means in direct opposition to being covered under social security. It is my understanding that the greatest resentment on the part of the policemen and firemen is expressed in their great fear that they are going to lose some of the retirement benefits they now have under the retirement system at the age of 50. Under the social-security law there is no provision whereby any payments could be made to any recipients until they reach the age of 65; may I ask is that correct?

Mr. COOPER. That is correct, for retirement benefits; 62 for women under the legislation passed last year.

Mr. KNOX. Then there is a possibility that policemen and firemen may lose some benefits because of the age limitation; is that true?

Mr. COOPER. They would have to be treated just like any other State and local employees under a plan submitted by the State.

Mr. KNOX. Would the Social Security Administration cover these employees if the States should decide that they could retire at the age of 50 or 55, and would their benefits be paid to them?

Mr. COOPER. Yes; that is true. Of course, under the social security part of it, they would have to wait until they reached the retirement age.

Mr. KNOX. Of 65.

Mr. COOPER. That is correct.

Mr. KNOX. Referring to the report of the committee on page 2, the last paragraph, it is stated:

Your committee believes that existing law provides adequate assurance that old-age and survivors insurance coverage will be extended only to groups of policemen or firemen who want such coverage.

I am quite sure in my own mind that the Committee on Ways and Means have searched existing law and have determined that there would be no possibility of a conspiracy on the part of a few people within the organization to put over this proposal which would cover additional members of policemen's or firemen's groups.

Mr. COOPER. There has to be a majority of the people in the system; not just a majority of those voting, but a majority of the people in the system. Let me make this further statement to the gentleman from Michigan, who was a distinguished member of the Committee on Ways and Means, and we regret losing his valuable services. No case has been brought to our attention where a local retirement system has in any way been impaired.

Mr. KNOX. I should like to ask the distinguished chairman of the committee this question—the intent of the act passed in 1954 in the revision of the Internal Revenue Code which extended this coverage to State groups: The State legislature must pass the enabling legislation which would make it permissible for a municipality to bring its employees within the provisions of the act; is that true?

Mr. COOPER. The State must designate some local official to enter into the agreement.

Mr. KNOX. Would there have to be enabling legislation by the State legislature prior to anything taking place at the local level?

Mr. COOPER. If the State does not already have it, there will have to be State enabling legislation and the State will have to make application.

Mr. KNOX. I thank the gentleman.

Mr. JENKINS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, I take this time to ask the chairman of the committee, the gentleman from Tennessee, some questions.

In Ohio the statewide pension system for policemen and firemen provides that because of the hazardous occupation they may retire after 25 years of service provided their retirement has been approved by a retirement board. If a man had gone into his vocation when he was young, then he might retire, for instance, at the age of 45 or 50. After such retirement time he might then take other employment because his retirement is not contingent upon his disability but upon having served 25 years. As I understand it, under social security he cannot do that. If he does retire under disability at 50, he can have no other gainful occupation. Therefore, if he were to be under social security, he would have to serve until 65. Will the gentleman comment on that?

Mr. COOPER. The two systems operate separately. He would still get the benefits he is entitled to under his local retirement program. This simply makes it possible for the State to allow additional benefits to the policeman and fireman by coming under social security if a majority of those in the system by referendum decide they want it.

Mr. SCHENCK. If the State and those in the system by referendum decide to do that, then would he not have to make double contributions?

Mr. COOPER. That is up to the State, as to what it wants to provide.

Mr. SCHENCK. Or would the State as the employer be required to make the normal contribution to social security?

Mr. COOPER. That is correct. It is necessary to have the money to have the fund to pay the benefits when they become due.

Mr. JENKINS. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, there is not the slightest doubt in my mind that the Committee on Ways and Means has made an honest effort to avoid piecemeal legislation and has tried to resolve this question with one overall bill. However, the fact still remains that this bill has become controversial. Perhaps the controversy is due to a misunderstanding.

Nevertheless, every fire-fighter group in my district is opposed to it. I think that points clearly, that as long as there is misunderstanding and controversy this bill should be defeated and should be returned to the committee, where hearings can be held and the misunderstandings can be ironed out.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Connecticut.

Mr. MORANO. If they had held hearings, perhaps all of this misunderstanding would have been resolved.

Mr. GUBSER. That is true. However, I am confident the Committee on Ways and Means acted in good faith. I assume they did not consider this bill as controversial at the time, and, therefore, decided not to hold hearings.

Mr. JENKINS. Mr. Speaker, I yield 1 minute to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, I take this time to ask a question of the chairman of the committee with reference to these State plans. Am I correct in my understanding that what this does is make it possible for the firemen and policemen of the States to come under social security and at the same time have a supplementary State plan which would be an additional payment to them?

Mr. COOPER. The gentleman is correct.

Mr. THOMSON of Wyoming. I believe that has been so in connection with several teachers' retirement systems, has it not?

Mr. COOPER. The gentleman is absolutely correct.

Mr. THOMSON of Wyoming. With regard to this age problem, which we also happen to have in the State I represent, if they could retire at 60 under the State retirement system and with the age for social security being 65 for men, then under the overall State plan, they could retire at age 60 and payment for that retirement between age 60 and age 65 could be taken from the State portion as provided in the State plan. That is, payment for retirement benefits from age 60 to 65 would be from the State portion and that would be all according to the State plan, approved at the local level and submitted here for approval at the national level; is that correct?

Mr. COOPER. The gentleman is correct.

Mr. THOMPSON of Wyoming. I thank the gentleman.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I arise in opposition to H. R. 4770, a bill that would expand social security coverage to include policemen and firemen.

According to the current debate it is my opinion that the opposition of many police and firemen's organizations to the bill stems from the failure of the House Ways and Means Committee to hold hearings, thus affording them an opportunity to have their day in court.

The police and firemen in my Congressional district are opposed to this legislation and one of their principal objections is that no hearings were held.

In support of my statement let me read to you the following letter dated July 23, 1957, from John T. Marshall of Altoona, Pa., a trustee of the Pennsylvania Lodge, Fraternal Order of Police.

PENNSYLVANIA LODGE,
FRATERNAL ORDER OF POLICE,
Altoona, Pa., July 23, 1957.

HON. JAMES E. VAN ZANDT,
Congressman, 20th District of Pennsylvania, New House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: Referring to yours of the 20th instant, I hereby thank you for your kind and prompt consideration granted my telegram of July 19 and many thanks for the copies of H. R. 4770 enclosed.

Replying to your wish set forth in the second paragraph of your letter as to reasons for the protest against H. R. 4770—as I recall, the objections of the police dates back a number of years. In fact, during the month of June 1956, delegates of the National or Grand Lodge of the Fraternal Order of Police attended and participated in the annual meeting of the National Conference on Public Employees Retirement System in the city of Washington, D. C., at which time discussions were held on the social-security question and this conference adopted a resolution petitioning Congress not to consider any amendment to section 218 (d) (this section provides for exclusion of police and firemen from social security) of the Social Security Act unless and until such time as adequate and complete public hearings are held for all interested groups.

To date, to my knowledge, there has been no such hearing or hearings held for the voicing of opinions of those interested groups, therefore, my good friend Jimmie, this is the prime objection to this pending legislation affecting our established police pensions.

Thanking you kindly for your cooperation in this matter and with kind personal regards, I am

Sincerely yours,
JOHN T. MARSHALL, Sr.

Mr. Speaker, Mr. Marshall's letter speaks for itself. Therefore I hope H. R. 4770 will be returned to the House Ways and Means Committee for further consideration including open hearings so that the policemen and firemen of the Nation will be enabled to voice their opinions of the legislation.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. NEAL].

Mr. NEAL. Mr. Speaker, there are features of this legislation that leave considerable doubt as to whether retirees from local municipal retirement plans would be entitled to their full retirements after reaching the age of 65, and in addition thereto, be entitled to their social-security benefits.

For this reason I think the bill should be recommitted to the committee for further study.

Mr. JENKINS. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, I desire to ask the chairman of the committee to reaffirm the statement which I know has been previously made. I have had a great number of telegrams from firemen and policemen organizations to the effect that they feel they would not be permitted to retire under the provisions of this act unless they have reached the age of 65 and in accordance with the rules and regulations of the Social Security Act. Under the provisions of their retirement system, they have been able to retire at an earlier age. The report of the committee seems to be quite conclusive. It would not interfere with the local pension plan; is that correct?

Mr. COOPER. The gentleman is absolutely correct. On page 3 of the committee report, I invite the attention of the committeee again, as I have several times heretofore, to the statement which I think covers the point fully.

Mr. SCUDDER. I appreciate the gentleman's explanation. However, as a former fire chief and the author of much of the legislation enacted in the State

of California for the benefit of the fireman, I would not desire to support legislation that might conflict with the fine program now in effect in my home State. I would rather that this bill be defeated or postponed until we are certain of our ground. I shall vote against the passage of this bill.

Mr. NEAL. I thank the gentleman.

Mr. COOPER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I rise in opposition to this legislation. My opposition is based on the proposition that when the House of Representatives considered the legislation in 1950, as it relates to firemen and policemen, the House adopted it. It went to the other body and the other body in their report on this bill came forward with the explanation that there was great opposition to the inclusion of policemen and firemen at that time. As a result, that provision was taken out of the bill passed by the House and the policemen and firemen were exempted from the provisions of the bill. The conference report was adopted on the basis of the stand taken by the Senate side of this controversy. Then, without any notice whatsoever to any of us, and without any hearings whatsoever, the Committee on Ways and Means report this legislation without hearing, while all of the members of solid and sound pension systems of the firemen and policemen throughout the United States are definitely opposed to it.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. ROGERS of Colorado. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS of Colorado. Mr. Speaker, is a motion to strike out the enacting clause in order at this time?

The SPEAKER. A motion to strike out the enacting clause is not in order under a motion to suspend the rules.

Mr. COOPER. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, I wish I had more time. I regret to find a limitation of 1 minute on this bill that I must oppose. I have had some experience in the past with the retirement fund covering the fire fighters and policemen of the State of Minnesota. I can readily understand why they have great fears about this bill. And I do not think that has been touched upon. The firemen and policemen of my State can always do a better job with their retirement funds and with the State legislature than they can with the Congress and the social-security system. I think that is proven by experience. In my State firemen and policemen, because of their hazardous positions, because of their importance to insurance, governing fires, theft, and burglary, they always get all the help and support from the insurance companies in my State in adjusting increases in the retirement benefits by legislating on the State level; increasing millage in those communities where retirement funds are low. So they prefer to deal with this at the State level and they feel that this legislation is a threat.

Mr. WIER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

(The letter is as follows:)

FIRE FIGHTERS ASSOCIATION OF MINNEAPOLIS, NO. 82,
Minneapolis, Minn., July 30, 1957.

Hon. ROY WIER,
House of Representatives,
Washington, D. C.

DEAR MR. WIER: We have been advised that H. R. 4770 introduced by Representative EBERHARTER of Pennsylvania was reported out of the House Ways and Means Committee for passage on July 15, 1957.

This was indeed most distressing news since this bill (we understand no hearings were held)—repeals the protective section of OASI which excludes the extension of Social Security to firemen and policemen now covered by pension, annuity, and retirement systems.

We have every reason to believe that passage of this measure by Congress will sound the eventual destruction of these systems through future legislation on a State and local level. Fire fighters here are unanimously opposed to repeal of this protective feature which safeguards their pension security established in the year 1885.

Therefore, in fairness to all concerned, we urgently appeal to you, Congressman WIER, to oppose passage of H. R. 4770 and support instead the return of this bill to the Ways and Means Committee for a full and complete hearing and enable us to present our side of the story.

Respectfully yours,

BURT N. FLAKNE,
Secretary, Minneapolis Fire Fighters Association, Local No. 82.

Mr. COOPER. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I am authorized by the dean of the Illinois delegation, the Honorable THOMAS J. O'BRIEN, to state that he voted against this bill in committee and that the entire Democratic delegation from Chicago is standing with Congressman O'BRIEN in stout opposition. The firemen and policemen in Chicago are overwhelmingly opposed to the proposed legislation. To them it would mean inevitably the end of retirement funds that they have built up for future security. There would be nothing voluntary in their acceptance of social security coverage in lieu of the protection of their own funds if the State or municipality should end contributions to pension funds on the excuse that the policemen and firemen had social security available that would amount to coercion and that the Chicago policemen and firemen will not tolerate. Congressman O'BRIEN and our solid delegation urge the overwhelming defeat of the bill.

Mr. COOPER. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. O'BRIEN].

I ask unanimous consent, Mr. Speaker, that all Members may have permission to extend their remarks immediately following the remarks of the gentleman from New York [Mr. O'BRIEN].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, approximately 100,000 policemen and firemen in the State of New York will be affected by this legislation. I can say flatly and firmly that they are overwhelmingly in favor of this legislation. They regard this as an addition to and not as a substitute for pensions. We have excellent pension systems in the State of New York, our State police and our city police. They would not favor this legislation if they thought they were going to lose those pensions and have social security only as a substitute. I think it is rather silly performance in any city to say that the ash collector, who belongs to a State retirement system, can be eligible for social security and not the fireman; that a meat cutter can be eligible for social security and not the fireman or policeman. I think that regardless of the telegrams from leaders of these men in certain places, the great majority of policemen and firemen in this country favor this legislation.

Mr. RAINS. Mr. Speaker, I urge the adoption of the pending bill, H. R. 4770.

Early in the session, I introduced a bill similar to this, which would have been applicable to my State of Alabama only. It is my information that the Ways and Means Committee had so many requests from Members from various States for the passage of legislation which would allow policemen and firemen to be covered by social security, that it was considered wise by the Committee on Ways and Means to present a general bill.

This legislation provides adequate safeguards that old age and survivors coverage will be extended only to groups of policemen and firemen who want such coverage. Further, it is to be noted from the report accompanying the bill that it is the intent of Congress that "existing law contains a declaration that it is the policy of the Congress that the protection afforded members of a State-local government retirement system not be impaired as a result of the extension of old-age and survivors insurance coverage to members of the system."

It is clear from a careful reading of the bill, and the committee report, as well as from the distinguished chairman of the Ways and Means Committee, who has preceded me in a discussion of this legislation, that the program is a voluntary one. For that reason, and in the light of the benefits which would accrue to members of the police and fire departments who are not covered by a retirement system, and the opportunity for social-security benefits to accrue to policemen and firemen who are members of a police and firemen's retirement system, it is difficult to see how anyone can oppose this bill.

Mr. WRIGHT. Mr. Speaker, I believe the purpose of this legislation is good. I believe it would be extremely helpful to permit policemen and firemen to enjoy the benefits of social-security participation in addition to their individual retirement systems. As a former mayor

of a municipality, I have seen at first hand the need for additional retirement benefits to allow these groups of public servants, at the conclusion of their active careers, to retire in dignity.

I can see no reason whatever for discriminating against policemen and firemen. The present law does discriminate against them. While the law allows other municipal employees to have their own retirement systems and social security also, it singles out our policemen and firemen by denying this same right to them.

Let me make it perfectly clear that I would not support this bill if I thought it would result in the destruction of existing retirement plans for police and firemen. They need both, their own programs plus social security, if a worthwhile retirement is to be theirs in this time of high living costs.

Opposition to the bill has been voiced on the ground that some local governing bodies might seize upon social security as a means of doing away with local systems and avoiding their responsibilities toward those systems. After discussing this matter carefully with members of the committee and the committee staff, I have come to the conclusion that this will not happen.

In the first place, it would be a clear violation of legislative intent. As pointed out on page 3 of the committee report, existing law contains a declaration that the protection afforded members of a State or local government retirement system not be impaired as a result of the extension of social-security coverage to members of the system.

In the second place, members of the committee and of the staff advise me that there have been no instances brought to their attention wherein such a thing has ever happened with regard to other muncipal employees. They have kept their own retirement systems, where such systems existed, and have enjoyed the protection of social security in addition.

Last year, we passed a bill extending this additional coverage to the policemen and firemen in five specific States which had requested it—Florida, North Carolina, Oregon, South Carolina, and South Dakota. I am informed that, in those States, the extension of social security to cover policemen and firemen has not resulted in the destruction of any of their individual retirement systems.

Finally, there would seem to be protection against such a result in the referendum. Before a group of firemen or policemen in a given city can come under social security, a majority of their own eligible members must vote for this inclusion. Unless they are assured and convinced that their action will not result locally in the destruction of their own individual retirement program, they can simply vote against coming into social security coverage.

Social security coverage should be offered, not in place of their own retirement systems, but in addition to those systems. Whatever protection we can give to insure that result should be given. The police and firemen of your town and of mine are among the unsung heroes of our society. Because of them, we sleep better at night. Because of them, our investments are safer. Because of them, we feel free to let our children walk on the public sidewalks and play in the sunshine. Usually they are underpaid, and more often than not, we show them too little appreciation. The least we can do is to see that, after a lifetime of labors and hazards endured in our behalf, they are rewarded by a dignified existence—security in their old age.

Mr. BURNS of Hawaii. Mr. Speaker, I support H. R. 4770. It is a good bill of great benefit to those with whom it is concerned. The able and distinguished chairman and the capable members of the great Ways and Means Committee are to be complimented for reporting H. R. 4770, a bill to allow policemen and firemen social-security coverage, if they so desire, to the House for passage.

Present law permits employees of State and local governments to secure the additional coverage of social security provided State legislation is effected and provided that these employees, by a majority vote, decide to join the social-security system. Policemen and firemen are excluded from this coverage.

As a former police officer—I served with the Honolulu police department for more than 11 years—I am aware of the concern every policeman has for those who may, by the fortunes of duty, become his survivors. Most police departments have a widows and orphans fund which is built up by solicitation from the community served by that police department.

Fire departments likewise have funds for the same purpose. Policemen and firemen willingly accept the risks they face in their dedication to the cause of protection of life and property.

The rightfully appraised hazards of their vocations make the purchase of additional insurance coverage too costly for them to carry extra insurance on their own. The coverage given to them by the governments employing them and the communities-supported funds are in most cases relatively small and in most cases grossly inadequate for those left behind.

In addition, though they are permitted in some political entities to retire earlier than other Government or civilian employees in recognition of the hazards of their occupation, the amount which they obtain on retirement is insufficient to properly maintain a family which, at the age at which they retire, is making its heaviest demands.

The income which they earn when they are retired is generally income which is in occupations which are covered by social security. Like other insurance programs, social security gives a better rate and better survivor benefits according to the amounts contributed.

I have personally known of a number of cases of policemen and firemen not retiring when they had an opportunity to do so because of the grave disparity in take-home pay and the necessity therefore imposed of obtaining a job by which to supplement their retired pay. This action has kept on duty in an admittedly hazardous occupation men whose reflexes had slowed and whose physical ability had been worn in years of service. The admitted hazards were, to the community and to themselves, increased.

The knowledgeable chairman has made a very excellent explanation of the bill. He has pointed out very clearly that the bill does not intend at all to replace the present retirement system or voluntary coverages. I want to point out that this is the fact and that the intention is that the social-security system should be a supplement to that already enjoyed by the policemen and firemen.

As a matter of fact, under present law, they are discriminated against—as the policemen of those five States presently under social security can tell you.

In this regard I want to include for the information of the membership, the declaration of policy from Act 284 of the Hawaiian Legislature of 1957:

> In order to extend to employees of the Territory and its political subdivisions, and to the dependents and survivors of such employees, the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act, it is hereby declared to be the policy of the legislature, subject to the limitation of this act, that such steps be taken as to provide such protection to employees of the Territory and its political subdivisions on as broad a basis as is permitted under the Social Security Act.
>
> It is also the policy of the legislature that the protection afforded employees in positions covered by a retirement system on the date of their agreement under this act is made applicable to service performed in such positions, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof.

Mr. Speaker, I know I speak for the policemen and firemen of Hawaii when I join the very able and distinguished chairman of the Ways and Means Committee in urging passage of H. R. 4770.

Mr. KEATING. Mr. Speaker, I am happy to join in support of H. R. 4770. This measure has the backing and vigorous approval of numerous policemen's and firemen's organizations in New York State, which have indicated to me their overwhelming desire for the extension of social-security coverage.

Since the 1954 social-security amendments made such coverage available to most other members of State or local government retirement systems, it is time we included the protectors of our homes and persons, our firemen and policemen. They are not required to accept this coverage, but they should have the option to do so.

Certainly, there are no finer groups of public servants than these two. Day in and day out they are on the job, safeguarding all of us from the twin enemies of flame and crime. Without their dedicated vigilance, our lives and property would be in constant jeopardy.

There is indication that the already high level of competence and ability achieved by these two callings can be improved even more when they are able to offer retirement benefits to prospective recruits.

Our firemen and policemen are doing a grand job. They deserve the very best. A vote for this measure is a vote to give them the security they deserve.

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, I favor the passage of H. R. 4770 for the reason that it would be of great benefit to our firemen and policemen. Keep in mind the fact that this legislation makes social security benefits available to firemen and policemen only if they themselves vote in favor of it. In other words, they themselves determine by their own vote whether or not they wish to receive additional retirement benefits under the Social Security Act. Keep in mind also that if they do vote to receive these benefits, they will be in addition to any other benefits to which they are entitled. In other words they will continue to receive retirement benefits under their existing plans as well as the benefits of the Social Security Act should they vote to participate in it.

Mr. Speaker, this is good legislation and will be of great help to our hard-working firemen and policemen, and I strongly urge that the Members of the House vote in favor of it.

Mr. COOPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H. R. 4770?

The question was taken; and on a division (demanded by Mr. ROGERS of Colorado) there were—ayes 120, noes, 64.

So (two-thirds not having voted in favor thereof) the motion was rejected.

APPOINTMENT OF CADETS TO AIR FORCE ACADEMY

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8531) to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years.

Mr. Speaker, the purpose of this bill is to provide an interim system for appointment of cadets to the Air Force Academy for a period of 4 years.

Section 6, Public Law 325, 83d Congress, provides that to permit an orderly increase in the number of Air Force cadets during the period ending not more than 4 years after the entrance of the initial class at the Academy, the Secretary of the Air Force may limit the number to be appointed each year during that period in the following manner:

(a) Each Senator and Representative shall nominate not to exceed 10 persons, who shall be eligible to take a competitive examination which shall be held annually. The number of vacancies allocated to each State shall be proportional to the representation in Congress from that State. Appointments from each State shall be made from among qualified candidates nominated from that State in the order of merit established by the examinations.

(b) Vacancies allocated to other sources shall be filled from among qualified candidates in each category in order of merit established by similar competitive examinations and shall not exceed 15 percent of the total number of appointments authorized.

The Academy has been located at its temporary facilities at Lowry Air Force Base, Denver, Colo., since the latter part of 1954. Without an additional expensive construction program, the present billeting, classroom, and messing facilities at Lowry restrict the total cadet strength at Lowry to approximately 800 cadets. The first class of 306 entered the Academy in July 1955; the second class of 300 entered in July 1956; and the third class of 307 will enter in July 1957. Due to attrition, there are now approximately 500 cadets remaining of the first 2 classes. In July 1958 it is expected that there will be an entering class of 448. The latter figure can be accommodated as the Academy is programed to move to its permanent facilities at Colorado Springs, Colo., in late summer of 1958.

Section 6 of Public Law 325 is due to expire following the admission of the 1958 class. Upon its expiration, the appointment of cadets to the United States Air Force Academy, beginning in 1959, would be governed by the same system which is presently in effect for the United States Military Academy; for example, each Member of Congress could then have 4 cadets at the Academy at any one time, with the total enrollment of the Academy being 2,496. These cumulative appointment features of the West Point system could result in an entering class at the Air Force Academy in July 1959 of approximately 1,640 cadets. The class entering in 1959 would then be almost twice the size of the entire three upper classes then at the Academy. This outside class would subsequently result in classes of approximately 458, 372, and 463 entering for the next 3 years; and again in 1963, because of the cumulative effect of the outsize class in 1959, a similar situation would then take place with a class of 1,425 entering that year.

This serious imbalance in the cadet structure would create many problems in the successful operation of the Academy. In particular, such a fluctuation in the size of classes would produce a like fluctuation in training requirements, both personnel and equipment. For example, a substantial temporary increase in freshman faculty personnel would be needed upon entrance of the outsize class. In its second year a large freshman faculty would not be needed, but an equally large sophomore faculty would have to be obtained and so on as the outsize class moved through each of its 4 successive years. The same type of extreme fluctuations would occur in all training facilities, including classrooms, laboratory equipment, navigation trainers, and other physical equipment proper for the training of a particular class. The creation of such a serious imbalance in classes would be manifestly impractical, as well as uneconomical, and would serve as a serious impairment to the quality of the training received by the cadets.

The Department proposal would have merely extended the interim system of appointments for an additional 4 years. However, the committee finds that, under this system, many Members of Congress have not been able to have one of their nominees selected for the Air Force Academy since it began operating. On the other hand, it appears that some Members of Congress have had many appointments to the Air Force Academy. The committee believes that some interim method for appointment of cadets to the Air Force Academy, whereby all Members of Congress will be authorized appointments, must be provided, until such time as the permanent law can go into effect.

The committee bill will continue an interim system of appointments for a 4-year period following the expiration of section 6, Public Law 325, 83d Congress, in 1958. It will allow one appointment each year for each Member of Congress, including the Delegates and Resident Commissioner of Puerto Rico. In addition, each Member will be authorized 10 alternates. Since these appointments are on the basis of one-fourth of the number to which a Member would be entitled under permanent law all other appointing authorities would also be allowed one-fourth of the number which they could appoint. For instance, the President is authorized 89 appointments under permanent law, and under the committee bill, he would be allowed 22. Under permanent law 40 appointments to go to honor graduates of schools designated as honor military or naval schools. The bill would authorize 10 such students to be appointed. Therefore, under the committee bill all appointing authorities would be allowed one-fourth of the number they would otherwise be allowed if permanent law was in effect.

Under the committee bill a total of 624 cadets would be appointed each year. However, once in its permanent site the Air Force would like to have approximately 712 cadets in the Academy annually. Since the additional 88 cadets could not be distributed equally among all appointing authorities the committee bill provides that the Secretary of the Air Force may appoint these approximately 88 cadets each year, but he must select them from Congressional alternates, and further, no more than 1 qualified alternate nominated by any 1 Member of Congress might be appointed under this provision.

It is apparent, therefore, that under the committee bill each Member of Congress will be entitled to one principal appointment each year for the next 4 years. In addition, since he is entitled to appoint 10 alternates, he may receive an additional appointment because one of his alternates might be selected by the Secretary of the Air Force in order to fill up the Academy. However, under the terms of the committee bill, he could not expect to receive more than one appointment selected from the alternates by the Secretary of the Air Force.

Mr. Speaker, I believe the bill now before the House is one every Member will want to support. Its enactment will cause no increase in the budgetary requirements of the Department of Defense, and I might also add that the Department of the Air Force approves the committee bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 52 (b) of the act of August 10, 1956, chapter 1041 (70A Stat. 641), is amended by adding the following new sentences at the end thereof: "However, for the 4-year period beginning with the class of cadets entering in July 1959, not more than—

"(1) one quarter of the number of cadets authorized by clause (1), (2), (3), (4), (7), or (8) of that section may be appointed in any one academic year;

"(2) two of the number of cadets authorized by clause (5) of that section may be appointed in the first and third years of that 4-year period, and not more than one of the number authorized by it may be appointed in the second and fourth years of that period; and

"(3) one cadet authorized by clause (6) of that section may be appointed in the first 2 years of that 4-year period, and not more than one of the number authorized by it may be appointed in the second 2 years of that period.

In addition, during that 4-year period, the nominating authority named in clauses (1)–(6) of that section may select for each cadet allocated to him for the year concerned a principal candidate and not more than 10 alternate candidates, or he may nominate as many candidates as the Secretary may prescribe and authorize the Secretary to select the principal candidates in order of merit as determined by competitive examination. In carrying out section 9343 of title 10, United States Code, during that 4-year period, only qualified alternates who are nominated by the authorities named in clauses (1)–(4) of section 9342 (a) may be nominated for appointment as cadets. Not more than one qualified alternate nominated by any one authority named in those classes may be appointed as a cadet, after nomination under section 9343, during each year of that 4-year period."

The SPEAKER. The gentleman from Louisiana moves to suspend the rules and pass the bill. Is a second demanded? [After a pause.] If not, the question is on the motion to suspend the rules and pass the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING COLUMBIA BASIN PROJECT ACT

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes, with an amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) in subdivisions (iii) and (iv) of section 2, subsection (b) of the Columbia Basin Project Act (57 Stat. 14), as amended, the expression "one farm unit", wherever it occurs, is repealed and the expression "two farm units" is substituted therefor.

(b) Section 2 (b) (v) of the Columbia Basin Project Act is hereby amended by adding thereto a new sentence reading as follows: "Lands held in trust for any person shall, for the purpose of this act, be deemed to be held both by that person and, if the trustee derives any profit or advantage from the trust other than a moderate fixed fee for the management of the same, by the trustee." This amendment shall not be deemed to affect any irrevocable trust for the benefit of a child under 18 created prior to this amendment, which would then have been held to be consistent with the provisions and intent of the Columbia Basin Project Act or to excuse any violation or evasion of that act, or of the rules and regulations issued, pursuant to it or of contracts entered into under it, by the creation or purported creation of a trust prior to this amendment, which would then have been held to be inconsistent with said provisions and intent.

SEC. 2. The Secretary of the Interior is authorized to amend any contract, which has been entered into prior to the date of enactment of this act, or any existing deed or other document to conform with the provisions of the first section of this act. The consent of the United States is hereby given to the recording, at the expense of the party benefited thereby, of any such amendment.

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, the question involved in this legislation is whether the farmers of the Columbia Basin project are to be given some relief from the present rigid ownership limitations in the Columbia Basin Project Act. The legislation we are considering permits an individual or family to own and get project water for 2 farm units instead of 1 as provided in the original act. The legislation has the approval of the Department of the Interior, the State of Washington, and most of the people in the area.

The Columbia Basin project was authorized in 1943. The principal purpose of the Columbia Basin development was to provide settlement opportunities for individual farm operators, especially veterans of World Wars I and II. The project was originally planned to contain about 1 million acres. However, of this total, only 635,000 acres are now available for project development. At the present time, water can be furnished to about 300,000 acres consisting of about 4,000 family-size farms. The program for developing additional farm units up to the 635,000 acres is continuing. The average size of the farm units which have been laid out to date is about 78 acres. The farm units are laid out to contain sufficient acreage for the support of an average-size family at a suitable living level, taking into account the character of the soil, topography, and so forth. Under present repayment contracts the project water users are required to repay $85 per irrigable acre toward the project construction costs. The remaining portion of the construction cost is to be repaid through application of power revenues of Grand Coulee power operations.

After thorough study and consideration, our committee took a middle-ground position between the provisions of the bill as introduced and passed by the other body and the present limitations in the act. The committee modified the existing act to permit delivery of water to 2 farm units in a single ownership instead of 1 as presently provided in the existing act. In comparison, the bill as it passed the other body would have permitted delivery of water to 320 acres in a single ownership. In addition, our committee added language which prohibits the creation of a trust as a means of exceeding the 2-unit ownership limitation for a family.

The preponderance of testimony given the committee favored modification of existing ownership limitations to permit ownership of more than one farm unit to which water could be delivered. The basic justifications given the committee in support of modification were these:

First. Agricultural and economic conditions in the Pacific Northwest have materially changed since the Columbia Basin Project Act of 1943 was enacted.

Second. A complement of modern farm machinery is sufficient for efficient operation of more than one farm unit.

Third. The income from one unit is not sufficient to supply reasonable modern needs of a family at recognized high living standards prevailing generally today.

Fourth. Local banks and the Farmers' Home Administration are somewhat reluctant to make loans to 1-unit operators because of the question as to whether the income from 1 farm unit is sufficient to provide a reasonable margin of safety in repayment.

Fifth. Existing limitations foster leasing of units to larger operators rather than encourage owner-operated farms.

Sixth. The existing rigid acreage limitation deprives settlers of initiative and leaves little hope for improvement in the future. Many of the 1-unit operators have 1 or more members of their family working away from the farm to bring in supplementary incomes.

Seventh. More land is needed for diversified farming which is essential to good soil management, especially for livestock farming, which is considered to be one of the most dependable farm enterprises.

Eighth. The ownership limitations are more rigid for the Columbia Basin project than for other reclamation projects.

Ninth. The project area farmers, based on representations at public hearings held by the Department, are predominantly in favor of modification of the acreage limitation provisions.

The Columbia Basin project has its problems and probably the most serious one at the present time is the large portion of the farm units being leased. This is an indication that the original objectives of the Columbia Basin Act are not being met. In 1956, 58 percent of all the farm units were farmed under lease. It is our hope that if this legislation is enacted, the number of farm

units being leased will be reduced and there will be an incerase in the number of individual farm operators.

While the committee, by its favorable action on this legislation, approved modification of the existing rigid ownership restrictions, we made certain suggestions for administering this change in order to retain consistency with general reclamation purposes and principles. First, since repayment by the water users toward construction costs is based upon their repayment ability and since two-unit owners could pay more per acre than one-unit owners, we suggest that the Secretary of the Interior make a redetermination of repayment ability for two-unit ownerships and adjust construction charges accordingly. Second, we suggest that no individual or family be allowed to acquire more than one farm unit from the Federal Government because of the extensive Federal subsidy involved.

In closing, may I say that I believe that some modification of the rigid ownership provisions in the Columbia Basin Project Act is needed to provide additional opportunities in order that there be no curb on local initiative and those who are able may better their financial position. I believe this bill provides the needed modification and that it can be administered consistent with longstanding reclamation purposes and principles in such a way as to prevent individual enrichment at the expense of the Federal Government.

Now, if you will look through your report on this bill, you will find that there were some minority views expressed by the chairman of our committee. I am authorized at this time to state to the Members of the House that Chairman ENGEL has removed his objections to the present consideration of this legislation; that he is favorable to the passage of the legislation at this time and that any objections he may have he is desirous of taking up in the committee of conference. The gentleman from California [Mr. ENGLE] is necessarily absent from today's meeting, but he gave this authorization before he left.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to compliment the gentleman for his fine explanation of this bill and the problems that the farmers are now faced with, that is, the farmers who are operating on the Columbia River Basin project. As the gentleman knows, I have been interested in this project ever since its inception.

Mr. ASPINALL. The gentleman has been a friend of the project since its inception.

Mr. JENSEN. And I have on several occasions visited that area, and I know what the gentleman says is correct. I can well understand the purpose of this bill because, as the gentleman has just explained, farming has undergone a great change since the inception of this project.

Now, let me ask this question: What kind of crops are now being raised on this project.

Mr. ASPINALL. The gentleman from Colorado would like to yield to the sponsors of the bill for an accurate statement at this time. The gentleman from Colorado has part of the answer, but he would like to have the gentlemen who sponsored the bill here in the House, the gentleman from Washington [Mr. MAGNUSON] and the gentleman from Washington [Mr. HOLMES], answer the question directly.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Washington.

Mr. MAGNUSON. The crops raised on the Columbia River Basin project are fairly typical of reclamation projects. There are many row crops, sugar beets, various varieties of beans, potatoes, hay, and there is quite a bit of cattle raising, incidentally.

Mr. JENSEN. In fact, no crop raised on the Columbia River Basin project is in surplus at the present time; is that right?

Mr. MAGNUSON. That is correct.

Mr. HOLMES. That is correct, may I say to the gentleman.

Mr. JENSEN. I want to say that the gentleman from Washington [Mr. HOLMES] has explained the problem to me which those farmers are now faced with, and he is very much in favor of this bill. The gentleman from Washington [Mr. MAGNUSON] has also explained the purpose of the bill. And, I want to say again that I think it is a good bill, I think it is a fair bill, and I think it is a very-much-needed bill for the benefit not only of the veterans who went there by the hundreds to take up homesteads and have struggled with this problem, but also the other good farmers that have taken up residences on those farms. I think it is a very necessary bill, and I hope it will pass.

Mr. ASPINALL. The gentleman from Colorado thanks his colleague.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I would like to compliment the gentleman from Colorado, who is chairman of the irrigation subcommittee, and who is one of the outstanding subcommittee chairmen of any committee I have ever had the pleasure of working with, for the wonderful job he has done in explaining this bill and the factors behind it. Would the gentleman agree with me that the major and the primary problem that we face today in our farm economy is the problem of providing sufficient farm income to the family that is on the farm to keep them operating and in business as farmers?

Mr. ASPINALL. The gentleman is perfectly correct and that is the reason why so much off-the-farm employment is necessary on these projects.

Mr. EDMONDSON. Would the gentleman agree with me—I am sure he has in the statement he has already made—that we have large numbers of people on those farms who are finding it necessary to work off the farm in order to stay in business and to hold on to what they have in that area, as well as in other farming parts of the country?

Mr. ASPINALL. The gentleman is correct, and most of these are veterans of World Wars I and II.

Mr. EDMONDSON. So this bill really represents an effort on the part of the committee in which the Department fully concurs to make it possible for these families to make ends meet and to stay in business on the farm?

Mr. ASPINALL. The gentleman is correct.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my colleague, one of the sponsors of the bill.

Mr. MAGNUSON. Mr. Speaker, I wish to thank the gentleman from Colorado, the chairman of the subcommittee, for handling this bill and for his able presentation of the facts surrounding the bill and for his handling of it in committee.

I rise in support of S. 1482, a bill to liberalize the land ownership limitations on the Columbia Basin project in the State of Washington. I sponsored companion legislation in this body and have been most interested in the progress of this measure.

The Columbia Basin Project Act was enacted in 1943. Under that act, the project land is platted by the Bureau of Reclamation into farm units, which may be not less than 10 acres and not more than 160 acres of irrigable land. At the present time these units average approximately 75 acres, although the more recently platted units average somewhat larger. Water has been brought to some 300,000 acres of the approximately 1 million acres ultimately contemplated for the project.

Under the law as it now stands an individual cannot own more than 1 farm unit, nor can the members of a family group own more than 1 farm unit. S. 1482, as reported by the House Committee on Interior and Insular Affairs, would raise this ownership limit to 2 units, so that a family or an individual could own 2 units instead of 1.

Mr. Speaker, I believe that passage of this legislation is of critical importance to the success of the Columbia Basin project. Experience has demonstrated that one 75-acre unit is not sufficient to support a family operation under the conditions and requirements for farming on the Columbia Basin. There are a number of farm families on the project today who are hanging on by the skin of their teeth. If they can acquire a second unit, which will permit them to obtain adequate financing from sources which will not extend credit on the basis of single-unit ownership, and which will permit them to spread their fixed costs over the additional land, I believe they will be able to survive. If not, I am afraid many will go under.

One of the clear signs of the inadequacy of the present farm units is the fact that 60 percent of the farm units on the project today are operated under lease. I stress that figure—60 percent. So far as I know, this is the highest percentage of absentee ownership on any Federal reclamation project in the country.

I think the reason for the high ratio of leased acres is clear: One farm unit under present farming conditions just is not enough land to support an economic family farm operation. The person or family who owns one unit and cannot farm it profitably has no choice but to lease it out to someone who can farm it in conjunction with one or more additional farm units. I think this high ratio of absentee ownership is going to continue unless this legislation is passed. Even if an absentee owner wants to sell out today, he cannot find a buyer, because an outsider will not come in to farm only the 1 unit, and because a farmer on the project who already owns 1 unit and who might be interested in acquiring the additional unit so as to make an economical operation is prevented from doing so by the existing law.

For these same reasons, development of the project has slowed down. For example, there are 17 units which were put on the market 3 years ago, in 1954, which still have not been sold, and there are 42 units from the 1955 land-sale program which remain unsold. I do not believe that these units will be sold and developed unless and until S. 1482 becomes law.

Passage of S. 1482 will promote the objective of this and all Federal reclamation projects—the development of family-size farms. Experience has demonstrated that the farm units as laid out to date by the Bureau of Reclamation are too small and too inflexible to permit stable family-farm operations. There are a number of reasons for this. One is that the original planning was done with the idea that the units would be laid out to support a near-subsistence level of farm living. Since the time when the first units on the project were platted, costs have shot up, and new farming methods require a heavier investment in farm machinery than originally was contemplated. These changing conditions in farming operations require greater acreage over which to spread the more or less fixed machinery and operating costs. Farmers on the project are unable to obtain credit against the ownership of only one unit.

Another reason why the units laid out by the Bureau have not proved to be adequate is the simple human explanation that the planners did not have all of the information necessary to make decisions which would be correct for all time. The soil included within the project boundaries falls into eight major soil classifications, with several variations within each class. The effort was made to lay out each unit so that the acreage of class I land or its equivalent in each unit would be equal to the class I equivalent in every other unit. Subsequent experience has shown that this goal was not achieved. For example, the Bureau now has reclassified the land in eight of the blocks on the project. Originally, the Bureau found that 17,251 acres in these 8 blocks was class I land, but on reclassification the total class I land was reduced to 11,191 acres. This is a reduction of one-third. This experience demonstrates why additional acreage and additional flexibility in farm size are necessary.

The Bureau itself has recognized that the first units laid out were too small, and each year has increased the average size of the units and the average class I equivalent of the units. Thus, the average irrigable acreage per unit has increased from 67.7 acres for those units brought under water in 1948 to 75.9 acres for those brought under water in 1956. Similarly, the average class I equivalent of the units has increased from 53.4 acres in 1948 to 67.0 acres in 1956, an increase of 25 percent.

The 2-unit formula contained in S. 1482, amended, will give a much-needed flexibility in the size of the farm operations, and within this 2-unit limit will allow the farmers themselves to decide how much land each feels he needs to carry out an economical operation.

Mr. Speaker, this legislation has widespread support, both locally and nationally. On January 3, 4, and 5 of this year the Department of the Interior held hearings at Mesa, Moses Lake, and Quincy within the project area. More than a thousand people attended these hearings. More than 130 testified in person, and the overwhelming sentiment favored an increase in the land-holding limitations. Most speakers urged application of the standard 160-acre limitation of the 1902 Reclamation Act. It was stated repeatedly that the present land units are not large enough to support the typical family under present-day farming methods and costs, and that they discourage initiative by the settlers.

This legislation is supported by the National Grange and by the National Reclamation Association. It is supported by the Columbia Basin Commission, the Joint Boards of Columbia Basin Irrigation Districts, the Washington State Soil Conservation Committee, the Columbia Basin Association of Farmers, the Washington State Farm Bureau, and by chambers of commerce in Seattle, Spokane, Quincy, Ephrata, and elsewhere. The Washington State legislature has passed legislation amending the concurrent state law so as to permit the provisions of S. 1482 to become effective immediately when signed into law.

Mr. Speaker, there is an emergency need for this legislation, and I hope it can be enacted without further delay.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to the gentleman from Washington, who is the sponsor of a companion bill.

Mr. HOLMES. Mr. Speaker, I thank the gentleman for bringing this bill to the floor and the very able explanation he has given it. Legislation is asked for and is wanted by the farmers of the Columbia Basin. I was happy to be a sponsor of legislation of a similar type to that of the gentleman from Washington, Mr. MAGNUSON. I do hope the House will approve this bill today as there is emergency need for liberalizing legislation.

Again I extend my thanks to the gentleman for bringing the bill out and for the fine explanation of it that he has offered to the House.

Mr. ASPINALL. Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, I yield myself 3 minutes.

Mr. GROSS. Mr. Speaker, I take this time to ask the gentleman from Colorado [Mr. ASPINALL], what is the present limitation with reference to the size of a farm?

Mr. ASPINALL. The present limitation, as stated in the report, is whatever the Department of the Interior finds to be an economical unit for the operation of a family-sized farm.

Mr. GROSS. Can the gentleman tell me what that average is?

Mr. ASPINALL. Approximately 78 acres in this project.

Mr. GROSS. And this bill would increase it to how much?

Mr. ASPINALL. This would permit a single ownership to have two farm units; whether that single ownership is by one individual or a man and his wife and a family if they have children.

Mr. GROSS. That would go up to what—two half sections, quarter sections, or what?

Mr. ASPINALL. They could go up to 160 acres.

Mr. GROSS. In each unit?

Mr. ASPINALL. Up to 160 acres providing the Department of Interior would find that to be an economical unit for a family-size farm operation. Farm units will more than likely stay in the approximate acreage units that they are at the present time.

Mr. GROSS. And the rate of repayment at present is $85 per irrigable acre?

Mr. ASPINALL. What the gentleman from Colorado said was that the water user at the present time was required by contract to pay at the rate of $85 per acre of the cost of construction, and the balance of the per acre cost allocative is to be paid from the power revenues of the Grand Coulee power project. In the case of the 2-unit operation we suggested in the report to the Department of the Interior that if the repaying ability of the operator is increased because of a 2-unit operation, then the operator should accept an additional responsibility for repayment.

Mr. GROSS. That is, increase the amount of repayment?

Mr. ASPINALL. That is right.

Mr. GROSS. Per year?

Mr. ASPINALL. That is correct.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

IMPLEMENTING A TREATY AND AGREEMENT WITH THE REPUBLIC OF PANAMA

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H .R. 6709) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That it is hereby declared to be the purpose of this act—

(1) to authorize and direct the fulfillment of those provisions of the Treaty of Mutual Understanding and Cooperation Between the United States of America and the Republic of Panama signed on January 25, 1955, and of the Memorandum of Understandings Reached signed on the same date, which contemplate, subject to authorization by the Congress, the conveyance of various lands and improvements to the Republic of Panama, including, but not limited to, conveyance of the lands and improvements in, and simultaneous relinquishment of all right, power, and authority in, the area known as Paitilla Point, and including the removal of the railway terminal operations of the Panama Canal Company from the city of Panama and the conveyance of the lands and improvements known as Panama Railroad Yard in the city of Panama; and

(2) to authorize and provide for the adjustments in the fiscal obligations of the Panama Canal Company necessitated by the aforesaid conveyances.

(a) In accordance with and subject to the provisions of article V of the Treaty of Mutual Understanding and Cooperation Between the United States of America and the Republic of Panama signed on January 25, 1955, and item 2 of the Memorandum of Understandings Reached signed on same date—

(1) the Secretary of State is authorized and directed to convey to the Republic of Panama free of cost all the right, title, and interest held by the United States of America or its agencies in and to the land and improvements in the area known as Paitilla Point and in the areas designated in paragraphs 1, 2, and 3 of paragraph (a) of said item 2; and

(2) the Panama Canal Company is authorized and directed to remove its operations and withdraw from the other lands and improvements designated in said item 2, and to convey to the Republic of Panama free of cost all the right, title, and interest held by the Panama Canal Company and the United States of America in and to said other lands and improvements.

(b) The market value of the property of the Panama Canal Company conveyed under this directive or by operation of articles VI or VII of the treaty and the net capital loss, if any, as established by the Panama Canal Company and approved by the Director of the Bureau of the Budget, sustained in the disposal, relocation, or reutilization of any facility or other property of the Panama Canal Company rendered excess, wholly or in part, by operation of articles V or XII of the treaty or items 2, 6, 9, or 10 of the Memorandum of Understanding Reached shall be treated as extraordinary expenditures and losses incurred through directives based on national policy and not related to the operations of the corporation, within the meaning of section 246 (d) of title 2 of the Canal Zone Code, as added by the act of June 29, 1948 (ch. 706, 62 Stat. 1075). The market value of Canal Zone Government property conveyed under this directive shall be removed from the capital investment of the United States in the Canal Zone Government without charge to the costs of operation of that agency. There are hereby authorized to be appropriated such amounts as may be required for the necessary replacement of property or facilities of the Panama Canal Company or Canal Zone Government conveyed or rendered excess as the result of the treaty or memorandum, which amounts shall be charged to the Panama Canal Company or Canal Zone Government.

The SPEAKER. Is a second demanded?

Mr. SHEEHAN. I demand a second, Mr. Speaker.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN], chairman of the Subcommittee on the Panama Canal.

Mrs. SULLIVAN. Mr. Speaker, there is nothing in the bill itself that can be considered particularly controversial. The only question might be about something left out of the bill.

As the chairman of the subcommittee which conducted hearings on this legislation, I can say that we tried very sincerely to handle this matter in such a way as to be sure we caused no embarrassment for our Government or any incidents which would weaken our relations with the Republic of Panama. It must be remembered that at the time we were going into this matter the Suez Canal issue had been very much in the public eye and we attempted to handle this matter of the Panama Canal with restraint and the utmost care.

Following the subcommittee's hearings—rather, they were more in the nature of discussions with the State Department and other officials directly involved—the subcommittee reported the bill to the full committee with minor changes. But I felt, and I think the other members of the subcommittee felt, that on the question of the increased annuity to the Republic of Panama, as provided for in the 1955 treaty of mutual understanding and cooperation with Panama, we were getting literally into some deep water that called for extreme caution.

Let me say this: The treaty itself was drafted and agreed to by the top officials of our Government and the Republic of Panama in 1955, and was duly ratified by the Senate of the United States, and is in effect. This bill does not disturb that treaty in any way at all—in fact, as the title of the bill makes clear, this bill is a measure to implement that treaty in a number of respects.

The subcommittee, as I said, reported the original bill to the full committee unchanged on this question of annuity payment, but we did so not because we thought the original bill was the best way to proceed but rather because on a matter of such importance to the House of Representatives and to the country as a whole, we believed the full committee should discuss and consider the question of the allocation of the annuity payment.

As the Members know, we had been paying the Republic of Panama $430,000 a year in perpetuity under the terms of the original agreement of 1903 as amended by the 1936 treaty. Several years ago, as the Members also know, the President was entertaining the President of the Republic of Panama. As the two sat and talked and exchanged pleasantries, as I understand it, the guest suggested we should be paying a whole lot more each year for the privilege of using the canal. President Eisenhower then turned to one of the State Department officials present at this social affair and suggested he see what could be worked out at the staff level.

As we receive the background information, the representatives of the Republic of Panama began suggesting all sorts of new deals on the arrangement which had been in effect since 1903, ranging all the way up to a proposal for a flat 20 percent of all tolls. Our Government's representatives turned down these proposals as representing a completely unrealistic approach.

In any event, the President's representatives finally agreed with the Republic of Panama to an increase of $1,500,000 a year in the amount which we pay to Panama. The treaty was signed, and, as I said, later ratified by the Senate. The House of Representatives up to now has had no part in any of this, except to provide the money through the State Department appropriation bill for the added payment of $1,500,000 a year to Panama. The original amount of $430,000 meanwhile continues to be paid out of the resources of the Panama Canal Company.

The bill as proposed to us by the administration would have shifted the whole amount of $1,930,000 to the Panama Canal Company's books. We have not included that provision in the bill which we have reported. Our reason has been that we believe this question deserves a whole lot more study.

There is no urgency whatsoever about determining now how that money shall be listed in our Government's books. The money has been provided and is being paid to Panama as provided for in the treaty. What we were asked by the administration to do was to shift this new and additional expense of $1,500,000 a year from the State Department's appropriation to the books of the Panama Canal Company.

The argument is made that if we leave things the way they are now, the taxpayers of the United States would be paying this additional amount each year rather than the users of the Panama Canal. I have looked into that very carefully.

The Panama Canal tolls are not raised or lowered each year or even periodically to reflect larger or smaller expenses. The Panama Canal Company has regularly been returning a surplus to the Treasury. If the new charge of $1,500,000 is made against the Panama Canal Company, it will not be added to any tolls which ships now pay in using the canal; instead, it will be taken out of the surplus which the Canal Company would otherwise return to the Treasury. So whichever way the bookkeeping is handled, the taxpayers of the United States will in truth and in fact be paying this increased assessment, not the users of the canal. The last time the rate of tolls on the canal was changed was in 1938. It is rather an involved and complicated process and is not done overnight in response to every little change in canal operating revenues or expenses.

What worries me about assessing this charge to the Panama Canal Company is that it might very well establish a precedent we will find most uncomfort-

able in the future. Are we using this Panama Canal by suffrance of the current Government of the Republic of Panama? Do we face even the remote possibility of an action by the Republic of Panama at some future time in the style of Nasser's action in Egypt in seizing the Suez?

Now, of course, none of us really believes the current Government of the Republic of Panama is anything but a good friend to the United States. But we must remember that we are dealing here with a long-time proposition. We operate this canal in perpetuity.

But do we face the possibility of having to, in effect, buy it back every once in a while? I do not know.

I think this added payment of $1,500,000 was agreed to by our President and State Department and also by the Senate of the United States primarily as a gesture of goodwill to a friendly power, under our foreign policy. It is, in effect, foreign aid, to the people and Government of the Republic of Panama.

As long as we leave the payment of this additional money where it is now assessed—on the State Department—there would appear to be no reason to doubt the purpose of the added payment. It would be easily identifiable as a diplomatic payment.

But the moment we assess it to the Panama Canal Company, we are, it seems to me, running the risk of announcing, or acknowledging, that this is rental we pay on the canal. As everyone knows, rents can always be renegotiated.

True, the treaty of 1955 says that both parties "recognize the absence of any obligation on the part of either party to alter the amount of the annuity."

But that does not preclude the Republic of Panama from asking again soon for another change. It does not preclude the next President of the United States from having a social visit with the then President of Panama and the two coming up with a new treaty agreement. That is perfectly all right. The President conducts foreign affairs under our Constitution and the Senate must ratify his treaties, and the House gets into it through implementing legislation such as this bill and through the appropriation process. There are enough checks and balances from that standpoint.

But I do not want to give some future Government or President of the Republic of Panama a precedent to go on through this legislation to lead them to think that the annual contribution we make is to be regarded as a rental charge subject to periodic renegotiation and assessment against the costs of operating the canal.

Hence, our action in the committee in striking out of the bill any reference to the increased annuity of $1,930,000. Our action leaves things just the way they are now; that is, the Panama Canal Company continues to pay $430,000 a year for the express purpose of the payment to the Republic of Panama, and the State Department, through its appropriation pays the added $1,500,000.

Let no one seek to persuade the membership here, Mr. Speaker, that by handling this matter in such fashion we are in some way running out on the 1955 treaty, or failing to implement it, or embarrassing our Government or insulting a friendly power or anything of the sort.

We are just postponing any change in our bookkeeping arrangements, in the assessment of this money. We are required to pay it to Panama. We are paying it now. But we should take a much longer look and a more careful look at any possible unfortunate repercussions from placing this charge on the Panama Canal Company, rather than on the State Department as a cost of our diplomacy and foreign policy in helping a friendly neighbor.

Mr. SHEEHAN. Mr. Speaker, I yield myself 8 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SHEEHAN. Mr. Speaker, I am opposed to the passage of H. R. 6709 in its present form. This bill implements a treaty and an agreement with the Republic of Panama signed on January 25, 1955.

My reason for opposing the bill in its present form is due to the fact that when the recommendations to be implemented under the treaty were sent up to the Congress, it consisted of two parts under section I of the bill. The meat in the second part under section I was stricken out by the Merchant Marine Committee when they met to consider the recommendations of the Subcommittee on the Panama Canal.

It seems to me that we should consider both aspects of the recommendations by the State Department and by the administration at the same time rather than do it piecemeal.

The bill as originally sent up and recommended by the administration is to give effect to the provisions of the 1955 Treaty of Mutual Understanding and Cooperation with Panama and to specify the method of distributing the impact upon the Panama Canal Company and the Canal Zone Government.

The committee had to consider, under the treaty provisions, two main things:

First. The values of property given to the Republic of Panama; and

Second. The authorization by the Congress of the additional payments as annuities.

The legislation as originally drafted and submitted to the committee is as drafted by the administration to which statement Governor Potter of the Panama Canal Government agreed.

Under the first part of the treaty provision, the Congress has to decide what valuation to give to the assets which were transferred and which are as follows:

The area known as Paitilla Point, and including the removal of the railway terminal operations of the Panama Canal Company from the city of Panama and the conveyance of the lands and improvements known as Panama Railroad Yard in the city of Panama.

The Merchant Marine Subcommittee agreed to transfer these values out at their fair market value. According to Governor Potter in his testimony, the Panama Canal Company had one other similar previous experience. In 1943, the assets were turned over to Panama at their fair market value which transaction was agreed and advised by the General Accounting Office. At that time, the book value of the properties was approximately $1.5 million and the market value was $11 million.

The problem that the subcommittee had to consider dealt with the effects of the accounting transaction or bookkeeping transaction.

The total book value of the property now to be transferred is $4,300,000. The total market value is $24,300,000 showing a net increase in the fair market value of $20 million. By giving the Panama Canal Company $20 million extra value over the book value, this will affect two things:

First. The amount of interest that is paid yearly into the United States Treasury; and

Second. The tolls for the use of the Panama Canal.

By giving the $20 million of fair market value, the net investment of the Panama Canal Company is decreased by $20 million and, therefore, the yearly charge for interest payable into the United States Treasury would be reduced because there would be $20 million less of principal on which interest is paid.

In figuring the tolls of the Panama Canal, one of the charges is for interest payable to the United States on the total investment into the Panama Canal Company. This interest charge would be reduced because of the $20 million decrease in the investment account. Therefore, the yearly interest charge to the operations of the Panama Canal would be reduced.

There may be some question that this would save money for the American citizens but Governor Potter stated in the hearings that the payment of tolls by our Defense Department is in the neighborhood of $39 million or 2 percent of the total tolls of the Panama Canal which is, as Governor Potter stated, "a very small amount."

I personally have no quarrel with this method of arriving at the market value except as it relates to the second part of the treaty provision.

The other important provision of the bill is that:

The remaining provision of the bill had to do with the allocation of the increase in the annuity payments to the Republic of Panama. The committee struck out all reference to the annuity in order to permit further consideration of that subject in connection with other fiscal policies affecting the operation of the canal.

However, it appears to me that both provisions of the bill are dependent on each other. When we determined this issue in the subcommittee, we agreed to the fair market value on the disposal of the assets after taking into consideration the fact that the new "annuity" should be charged to the operations of the Panama Canal. When this full committee

met and several of us on the Panama Canal Subcommittee unfortunately were not there because of other committee business, the Merchant Marine Committee struck out this second provision on annuities. Under article XIV of the convention of November 18, 1903 between the United States of America and the Republic of Panama, it was agreed that the Canal Zone Government would pay yearly into the United States Treasury an amount sufficient to reimburse the Treasury for a yearly annuity payment agreed between the two nations. This amount was originally agreed to be paid in balboas, the value of which was based upon a gold dollar. With the devaluation of the American dollar, article VII of the 1936 general treaty (53 Stat. 1807) it was agreed that the annuity payment would be increased to $430,000 a year in order to equalize the United States dollar with the gold balboa dollar.

Under the new agreements reached in the 1955 treaty, the Republic of Panama has asked for an additional $1,500,000 so that the annuity payments will be $1,930,000 per year.

Under article I, section 9, of our Constitution which states that "no money shall be drawn from the Treasury, but in consequence of appropriations made by law; it was universally agreed that Congress must be applied to if the treaty provisions alluded to were to be put into execution." Madison, in the House of Representatives, firmly established this policy when he maintained that on all treaties requiring the payments of money, the House of Representatives must act.

The treaty we are now considering calls for a payment of $1,500,000 additional. This amount is reimbursed to the Treasury by the Panama Canal Company under provisions of the 1903 treaty and as such is considered a cost of operation in arriving at the tolls charged for use of the Panama Canal. Due to the fact that the committee has struck out this portion of the bill there will be no recovery by the taxpayers of this additional payment to the Republic of Panama unless it is included in this legislation or in future legislation. As this provision was contained in the bill sent us by the administration, I feel that if we fail to act upon it at the same time that we act upon the other provisions of the bill, there is great danger that it will never be enacted and the taxpayers of the country will be forced to pay an additional $1,500,000 out of their own pockets. I will not attempt to cover the normal and regular aspect of this new levy on the United States taxpayers by the Government of Panama.

Therefore, I oppose the enactment of H. R. 6709 until such time as both of the provisions asked by the administration are acted upon at the same time.

The Department of State approved and concurred in the wording of H. R. 6709 as submitted, and recommended no change. The Secretary of the Treasury had no objection to its original form. Mr. Joseph Campbell, Comptroller General of the United States, recommended the passage of the bill and further recommended some clarifications. He said that he is in full agreement with the provision which was eventually struck out by the committee, and in effect, asked for further clarification when he stated:

> However, we suggest that this section be amended to clearly reflect that the increases in the annuity payments which were paid after the ratification on July 29, 1955, of the treaty of January 25, 1955, but prior to the date of enactment of the proposed legislation, are to be included in the amounts to be reimbursed to the United States Treasury.

In other words, the Comptroller General wants to make sure these additional payments will be reimbursed to the United States Treasury. With the passage of the bill in its present form, these payments will not be reimbursable and the taxpayers will have to foot the bill.

Mr. BONNER. Mr. Speaker, may I ask the gentleman from Illinois if he will yield such time as he cares to yield to those opposed to the bill so I can close the debate on this side?

Mr. SHEEHAN. I am sorry, Mr. Speaker; I have had requests for ny full 20 minutes and have allocated the time.

Mr. BONNER. Will the gentleman yield now to someone who is opposed to the bill?

Mr. SHEEHAN. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, for 150 years this House has been trying to obtain a right to act upon the ratification of treaties. The gentleman from New Hampshire [Mr. MERROW] and I have introduced such a bill for the last 13 years.

What should be done here, believe me is this: I ask you only to send this bill back so that my distinguished friend and his great committee will come in with a rule permitting we who are concerned and interested, and there are many here, to participate in hearings and full debate on a statute to implement a treaty with a friendly and a sister sovereign state. I assure my friends here, if you send this bill back, believe me, in no way can it be construed to reflect upon our relations with Panama. Please understand that. I do not want to do that for a minute and you know that.

Secondly, you heard my friend from Illinois [Mr SHEEHAN] tell us that there has been removed from the bill the consideration of a fiscal policy that should be before this House in full debate on this bill and it should be put back in the bill.

Let me tell you this, and I want you to hear me: In the Department of Defense we found it necessary in our committee to prevent the railroad from being given away. Many of you have been down there. That railroad is essential to our national defense. They wanted to give the railroad away. The State Department was prepared to give the railroad away. We prevented that with the aid of the gentleman from North Carolina [Mr. BONNER] and his great committee. They went down there and said: "Do not do that, we will not let you do that." The gentleman from Maryland [Mr. GARMATZ] chaired that committee and they prevented the railroad from being given away. But do you know what happened? While the gentleman from Maryland, the gentlewoman from Missouri [Mrs. SULLIVAN] and the gentleman from North Carolina [Mr. BONNER] were preventing the State Department from giving away the railroad, they did give away the terminal buildings. Now we have a railroad and no terminal buildings. Both terminals have been given in the treaty to Panama. You cannot imagine anything more ridiculous.

But we are beyond that. I ask you in the name of the right of this House, I ask you in the name of all of us who are concerned with our relations with Panama that you just do not on a suspension pass this bill. You are here on suspension of the rules with this bill. That should not be, Mr. Speaker. This bill is of great importance, it permits the House to exercise its will on the implementation of a treaty. There is no provision for appropriations here under the Constitution. This money is being spent as authorized by a treaty through the State Department and the Senate, ignoring the House and ignoring the appropriation provisions and I say to you, Mr. Speaker, that all that should be done today is not pass judgment upon an intricate, a complicated and an important matter of prestige, constitutional law and appropriations. Just send the bill back to the committee. Do not give this two-thirds vote, and, believe me, you and I and the Nation and Panama will benefit by the development of our proper relations under this law when it is properly before us.

Mr. BONNER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I am sympathetic to the position taken by my good friend the gentleman from Pennsylvania [Mr. FLOOD], but the matter of whether this body should participate in treaty making is an academic one. It is not before us in this bill. If he wants that, why, let him bring in a bill proposing such legislation changing the Constitution, and I will support him. But here you are confronted with the proposition of placing on the backs of the shippers the added rental for the Panama Canal arbitrarily established by the State Department. As Mr. SHEEHAN told you and as the gentleman from North Carolina, Mr. BONNER, told you, we accepted the thesis that the value of gold having been devalued, we should raise the annual rental of Panama to $400,000 a year; when it was fixed it was to be for all times. Now, without consulting the shippers or without consulting the people who use this canal the State Department comes in and raises the ante $1.5 million, and that is the thing to which we object. Remember, the Panama Canal has 2 functions: 1 for our shipping and the other, national defense. If it is necessary in the interest of national defense to subsidize Panama to protect our interest and make a 1-ocean Navy a 2-ocean

Navy, that is one thing, but do not put this extra burden on American shipping where it has no opportunity to appeal such decision and no one to whom to appeal.

Mr. SHEEHAN. Mr. Speaker, I yield 2 minutes to the gentleman from Washington, Mr. TOLLEFSON.

Mr. BONNER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington, Mr. TOLLEFSON.

Mr. TOLLEFSON. Mr. Speaker, this bill was reported out of our committee by a unanimous vote. There were three members of the committee who were not present at that meeting, and as I understand, those three members are opposed to the bill. But, the rest of the members of the committee are unanimously in support of it.

The bill simply implements a treaty which we entered into with the Republic of Panama in 1955. The bill which originally was sent down, contained a provision to the effect that the annuities which we paid to the Republic of Panama should be increased from $430,000 a year to $1,930,000; in other words, an increase of $1.5 million per year. Now, the bill provided that the annuity should be charged to the Panama Canal Company. The full committee deleted that provision of the bill simply because they felt, although there was some opposition to it, that there was not sufficient information before the committee upon which to act. They felt that the item ought to be taken up at a later time, and if we approve the bill today, that item can still be considered by the committee at the beginning of next year. I would urge the House to vote favorably upon the bill, the prime object of which is simply to implement the treaty entered into in 1955.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Connecticut.

Mr. MORANO. What would be the situation if the House failed to pass this bill that we have before us now?

Mr. TOLLEFSON. Well, then the treaty would not be implemented. Of course, the treaty has been ratified by the Senate, but pursuant to the treaty there were some things that our country agreed to do. First of all, we agreed to transfer to the Republic of Panama certain lands and buildings which were really outside of the Canal Zone and within the boundaries of the Republic of Panama. We agreed to transfer those holdings.

Mr. MORANO. How much would our annuity be annually if the bill failed to pass?

Mr. TOLLEFSON. Well, we would continue to pay the same amount of annuity, because the treaty has committed us to pay the additional $1.5 million in annuities, although the treaty as it existed prior to that time bound us in no way to make any increased payments. Both parties to the negotiations in the 1955 treaty admitted that we were under no compulsion or obligation to increase the annuities, and the State Department saw fit, for reasons of its own—and they were probably good reasons—to increase the annuity.

Mr. MORANO. In other words, if we do not pass this bill, we still have to pay $1,930,000?

Mr. TOLLEFSON. Absolutely. What we are seeking to do here is simply to implement the treaty and to do what the United States agreed to do with respect to the transfer of the property.

Mr. MORANO. In other words, you want to do everything that the treaty provides except to agree to pay the $1,930,000?

Mr. TOLLEFSON. We leave that open, because the State Department is obligated to pay the $1.5 million extra no matter what we do with the bill.

Mr. MORANO. Does the gentleman mean that if we pass the bill we would still have to pay the $1,930,000?

Mr. TOLLEFSON. That is correct.

Mr. MORANO. Even though you delete that provision?

Mr. TOLLEFSON. That is correct.

Mr. MORANO. I do not understand it.

Mr. TOLLEFSON. The point of disagreement is simply this. The provision in the bill that was sent down by the State Department provided that the additional $1.5 million should be charged to the Panama Canal Company. Many members of our committee felt that that should not be a charge upon the Panama Canal Company because the Panama Canal Company had nothing whatsoever to do with the increase in the annuity. It was a State Department transaction. Furthermore, many Members believe that to saddle the additional annuity upon the Panama Canal Company would be contrary to provisions of the Canal Zone Act, which provide that expenses incurred by directives based on national policy shall not be added to the capitalization of the Panama Canal Company. This additional annunity resulted from a foreign policy decision of the State Department and should therefore not be saddled upon the Canal Company.

Mr. SHEEHAN. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Illinois.

Mr. SHEEHAN. This bill before us is not the same bill that was passed by the Senate, is it?

Mr. TOLLEFSON. With the exception of the provision that we deleted. I have mentioned that.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. BONNER. Mr. Speaker, I yield such time as he may require to the gentleman from California, Mr. ROOSEVELT.

Mr. ROOSEVELT. Mr. Speaker, in support of my colleague from California [Mr. MILLER], I ask unanimous consent to introduce in the RECORD at this point three letters from steamship associations and a foreign trade association who are users of the Canal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

FOREIGN TRADE ASSOCIATION OF SOUTHERN CALIFORNIA,
Los Angeles, Calif., August 2, 1957.

Hon. JAMES ROOSEVELT,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN ROOSEVELT: It is our understanding that H. R. 6709 will be on the House floor Monday, August 5, under a suspension of rules.

We sincerely urge that you make every effort to be present when this vital measure is discussed. The fact that a suspension of rules will require a two-thirds vote stresses the importance of your presence for the limited debate that day.

H. R. 6709 deserves your support. It will be presented by Congressman BONNER for the Merchant Marine Committee. We are satisfied that this bill should be passed in its full committee version.

It is supported in southern California by chambers of commerce, port authorities, steamship operators, labor groups, importers and exporters. Representatives of these groups feel that the full committee version of H. R. 6709 is equitable legislation and should be adopted.

In addition, management of Panama Canal, labor and tolls payers are equally strong in their support of this bill. So far as we can determine, the only resistance to the bill comes from the GAO, and it is opposed to just one portion of it.

Passage of H. R. 6709 (the full committee version) is important to the California Merchant Marine, and we will be most appreciative of your interest in our problem.

Certainly, we trust that, if at all possible, you will be present when this bill is presented.

Very truly yours,

MAX J. LINDER, Jr.,
President.

LOS ANGELES STEAMSHIP ASSOCIATION,
Los Angeles, Calif., August 2, 1957.

The Honorable JAMES ROOSEVELT,
House Office Building,
Washington, D. C.

DEAR SIR: We respectfully urge that you make every effort to be present on the House floor Monday, August 5, when H. R. 6709 will be debated under a suspension of rules. As you know, a suspension of rules will require a two-thirds vote, a point which emphasizes the importance of your presence on the floor that day.

H. R. 6709, we believe, warrants your support when the matter is presented by Congressman Bonner for the Merchant Marine Committee. It is important that this bill be passed in its full committee version. It is supported in southern California by chambers of commerce, steamship operators, port authorities, labor groups, importers and exporters. Representatives of these groups believe that the full committee version of H. R. 6709 is equitable legislation and should be adopted.

The management of the Panama Canal, labor, and the toll payers are also in strong support of this bill. As far as we can determine, the only opposition to the bill is from the GAO, and this government agency is opposed to one portion only.

Certainly, we are most hopeful that it will be possible for you to be on hand when this bill is presented and shall appreciate your support in the passage of the full committee version of H. R. 6709, as it is of vital importance to your California Merchant Marine.

Yours very truly,

L. C. MUNSON, *President.*

PACIFIC AMERICAN
STEAMSHIP ASSOCIATION,
Los Angeles, Calif., August 2, 1957.

Hon. JAMES ROOSEVELT,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN ROOSEVELT: I am advised that H. R. 6709 will be taken up on the House floor on Monday, August 5, under a suspension of rules. I respectfully urge you to make every effort to be present when this important measure is discussed.

The fact that a suspension of rules will require a two-thirds vote emphasizes the importance of your presence for the limited debate.

H. R. 6709 deserves your wholehearted support as you will quickly realize when the matter is presented by Congressman BONNER for the Merchant Marine Committee.

We consider it important that this bill be passed in its full committee version. It is supported in southern California by the chambers of commerce, port authorities, steamship operators, labor groups, importers, and exporters. In fact, representatives of all of these groups feel that the full committee version of H. R. 6709 is equitable legislation and should be adopted.

The management of the Panama Canal, labor and the toll payers are equally strong in their support of this bill. To the best of my knowledge, its only resistance will be expressed through the GAO who are opposed to one portion of it.

Passage of the full committee version of H. R. 6709 is important to your California merchant marine. I will appreciate your interest in our problem and most certainly trust that it will be possible for you to be on hand when this bill is presented.

Very truly yours,
RALPH J. CHANDLER,
Vice President.

Mr. SHEEHAN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ALLEN].

Mr. BONNER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ALLEN].

Mr. ALLEN of California. Mr. Speaker, if the Members of the House will go back over the last 10 years, they will recall that there has been a succession of bills changing the organization of the Panama Canal Company and the Panama Canal Government. In the 80th Congress, if I remember correctly, we were faced with the problem of trying to determine what the tolls should be and it was found that there was no system of accounting which would give us a basis for determining how much money was required to compensate the government for the use of the canal, how much money we had invested, who were getting the benefits or who was paying the bill.

Over a period of years those activities have been reorganized and during the last few years we have been able to tell from the accounts what properties were properly charged to the canal operation and what to the government and what to other agencies. So now, Mr. Speaker, we are finally in a pretty good position to look at the fiscal affairs of the Panama Canal Company and the Canal Zone Government and come to a conclusion as to how the charges should be fixed, what taxes there should be and how they should be used, what the tolls should be and for what burdens the tolls should pay in the operation of the canal.

We have this treaty which has been agreed to and we must implement the treaty. If the bill as recommended under the motion to suspend is passed, we will implement that treaty. The other matters concerning the internal fiscal affairs should properly, in my opinion, be all considered together and can be so considered early in the next session. I believe we should take at one time the matter of the payments to the Republic of Panama, the charges that should be made against the employees of the Panama Canal Zone and the Panama Canal Company for the government of the Canal Zone, and the properties that should be attributed to the Canal Company business operations, the charges that should be made against the shippers, and the burdens that the tolls should support.

These two things can be done. The treaty can be implemented if this bill as presented is passed, and the entire fiscal problem of the Panama Canal Company and the Panama Canal Zone government can be settled in an orderly fashion when the whole fiscal problem is considered at once.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of California. I yield to the gentleman from Washington.

Mr. PELLY. May I say to the gentleman from California that I have studied this matter and I am in agreement with his views. I hope very much this part of the legislation can go through now. As a member of the Committee on Merchant Marine and Fisheries, I hope that later we can take up the rest of the bill.

Mr. ALLEN of California. I thank the gentleman.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of California. I yield to the gentleman from California.

Mr. MAILLIARD. I should like to associate myself with the stand taken by the gentlewoman from Missouri and the gentleman from California, with particular emphasis on my thought that our committee ought to take up these basic questions of fiscal management in the Panama Canal Zone all at one time, and not tack this one isolated item onto what is really a treaty-implementation bill.

Mr. SHEEHAN. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. DORN].

Mr. DORN of New York. Mr. Speaker, the crux of this debate is whether $1,500,000 is going to be saddled onto the backs of the taxpayers rather than paid by the Canal Company. That is the sole question. If you will send this bill back to the committee it will be reported back to you just the way it came from the Senate and the taxpayers freed of a $1,500,000, burden. The Senate bill contains the provision providing that the canal users pay this money in tolls. All the users—Russia, Japan, Great Britain, and the maritime nations of the world—should pay their fair share of the cost of running the canal. This $1,500,000 is a part of the running of the canal. The Governor of the Canal Zone was asked in the subcommittee hearings:

Do you think that this treaty would have been entered into if the canal was not there?

He answered:

Oh, no; of course it would not be.

This $1,500,000 should be paid by the canal users. That is the way the Panama Canal Subcommittee of the Merchant Marine Committee reported the bill, just the same as it came out of the Senate. Neither the Panama Canal subcommittee nor the Senate wanted the taxpayers to be additionally burdened. But the Merchant Marine Committee changed the bill. The provision directing the payment to be made by the Canal Company was stricken out. As a result, who will pay this $1,500,000? The taxpayers of the United States.

The burden of this payment should be on all of the shippers of the world. If you want, so to speak, to give a subsidy to Russian shipping, and Japanese shipping, as well as the shipping of Great Britain, this is the way to do it. Pass this bill as it is now, and you have in it a hidden subsidy to all the foreign countries of the world, who use the canal even more than do we.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DORN of New York. I yield.

Mr. GROSS. The gentleman from New York has put his finger squarely upon the issue. Certainly this is implementation of a treaty but at the expense of the taxpayers of the United States when the people who use the canal ought to be paying the bill. If we go along with this, it will set a precedent and a bad precedent. This bill ought to be defeated.

Mr. DORN of New York. I thank and agree with the gentleman. I want to call the attention of the House most particularly in opposing this bill that it has in it a hidden subsidy for foreign shipping. I would vote for a bill providing for free use of the canal for all United States shipping or support a bill for free transit for coastwise shipping of all nations because I believe in aiding the United States Merchant Marine, but I do not believe in subsidizing the world merchant marine.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. DORN of New York. I yield to the distinguished gentlewoman, the chairman of our subcommittee.

Mrs. SULLIVAN. Will not the gentleman agree with me that if we place the burden of this $1,500,000 on the Panama Canal Company that it would set a precedent and that in the future the Government of the Republic of Panama might come back and say, "Well, we got the money once—the taxpayers of the United States are just paying it out in a different manner through the Panama Canal Company so we can rely on that precedent and have negotiations again in the future and perhaps ask for a great deal more money?"

Mr. DORN of New York. No, no, not at all. Whether or not it is paid by the taxpayers or by the Canal Zone makes no difference as to what the Republic of Panama might claim in the future.

Mr. BONNER. Mr. Speaker, I yield myself 5 minutes.

Mr. MORANO. Mr. Speaker, will the gentleman yield for a brief question?

Mr. BONNER. I yield.

Mr. MORANO. Would the gentleman tell us the percentage of tonnage that

goes through the canal which is foreign tonnage, and the percentage which is American tonnage?

Mr. BONNER. We will not go into the tonnage matter on this.

Mr. Speaker, this is strictly a business matter. The State Department, as I said before, sent this bill down. It is an administration bill. The other body approved the treaty with Panama. When the bill came down, the committee tried to get information from the State Department as to just how it was agreed to that we would pay the $1,500,000. The gentlewoman from Missouri has put her finger squarely on the issue: Is this going to go on forever and forever—are these negotiations going to come up again and again that you up the ante every year or so? It must be remembered that the Panama Canal Company is a Government corporation. It is down there to do business and to carry on the affairs of the United States Government in a businesslike way. Referring to the first part of the bill, in transferring the property—would any corporation in the world that had bought property this many years ago sell it today at book value or transfer it and give it away and not take credit for the market value? Well, that answers that part of this arrangement. The company is entitled to that and any businessman within the sound of my voice cannot do otherwise than to say that the Panama Canal Company is entitled to the market value of their property. If anybody can say otherwise about that, then they have a funny way of doing business.

With respect to this increased annuity. It is true that when we built the Panama Canal, we agreed to pay so much a year to the Panama Government so long as we operated the canal. We changed the amount of the payment once, as the gentleman [Mr. SHEEHAN] has explained, to keep the dollar in balance with the Balboa—that is, with the gold value. When we questioned the State Department as to why this $1,500,000 was thrown in again here recently, the State Department had this to say to the Foreign Relations Committee:

> I believe that both sides recognize the absence of any obligation on the part of the United States to increase the amount of the annuity.

The State Department themselves say there is no reason to increase this annuity. Further, the State Department says:

> The increase of $1,500,000 was simply the result of long conferences and negotiations with respect to the amount.

In other words the amount of increased annuity is questionable. But they did not give any reason why they increased this amount. Then the State Department finally said it was to pacify South America. If they wanted to pacify South America, why do they want to burden the Panama Canal Company with the pacifier? The pacifier in this case is $1,500,000. Now just think of it as a business matter. Would you do business this way if you were in private business, or would you do business as this committee has in a businesslike manner in solving the question?

I yield to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include letters received from my district.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I rise in support of H. R. 6709.

This is a measure which has the support of both labor and management in my district.

As Thomas J. White, secretary of the Oregon State Public Port Authorities Association, wired me:

> Oregon's huge maritime commerce with east coast via intercoastal lines and with Europe and South America is directly affected because canal tolls affect ocean freight rates and therefore ability of Oregon shippers to compete in those markets.

From ILWU, Local 8, of Portland, Oreg., Mr. D. L. Sidall, secretary:

> Portland longshoremen are concerned about H. R. 6707 pertaining to Panama Canal tolls. Request your presence when it is debated and that you vote favorably for the full committee's version of the bill as the most fair and equitable method of settlement.

I have also received indications of strong support for this measure from the commission of public docks of the city of Portland, and from many more business and labor leaders both within and without my district.

Mr. Lueddemann, of Pope & Talbot, in Portland writes:

> We can assure you that responsible organizations in all major Pacific coast ports have considered this question and that the full committee version, as it will be presented probably by Chairman BONNER of the Merchant Marine Committee, is the only version that will do justice to the Panama Canal Company, its employees, and the cargoes that go through the canal that must bear the burden of financing it.

I hope that this measure will receive the necessary two-thirds vote to assure its passage.

Mr. BONNER. I yield to the gentleman from California [Mr. SHELLEY].

Mr. SHELLEY. Mr. Speaker, I join in defense of this bill, and associate myself with the remarks of the gentleman from North Carolina [Mr. BONNER] and the gentleman from California [Mr. ALLEN].

I think the reference to Russia, attempting to compare seven Russian ships through the Panama Canal in a year, is an attempt to mislead and create prejudice in the minds of the Members. If we succumb to this appeal we are then in the same position as Egypt whom we are presently criticizing because she is denying the right of passage to Israeli ships in the Suez Canal. We cannot draw any such lines as a Nation with control over the Panama Canal. The amount of tolls which could be collected from Russian vessels or vessels under satellite flags during any 1 year is so small in relation to the total tolls collected that it would be only a drop in the bucket even if this bill were amended to add the costs involved here to the tolls base. I am sure that all Members read the newspaper accounts regarding these Soviet vessels which indicated that they were diverted to the Panama Canal only because of the Suez crisis. We need not fear any large increase in Soviet or satellite use of the Canal simply because their normal trade routes do not require them to use it. If the time comes when use of the Panama Canal by Communist vessels becomes a major problem then Congress can move in and take whatever steps may seem necessary. But in relation to H. R. 6709 the question of Soviet use of the Canal just does not enter into the picture. What we are concerned with is whether the ship operators are going to be forced to pay the additional costs involved as the result of the revision of the treaty with Panama or whether such costs should be more properly charged to the Government, as H. R. 6709 provides in general.

This increase should not be placed on the vessel operator because it is a national affair, negotiated by the State Department to protect the general interests of the United States in their relationship with Panama. The Panama Canal was built originally not only for traffic purposes but for the defense of the United States of America. In recent years there has been a growing tendency to feel that the shipping lines should bear the entire cost of the operation and to discount the value of the Canal to the country as a whole as a vital part of our national defense. It has long been my feeling that the capital structure of the Canal Company is already weighted far too heavily against the strictly commercial shipping operations and far too lightly against the Government and the people of the United States for the other factors involved in maintaining the Canal. If we vote to add practically the whole of the cost of this treaty revision to the capitalization upon which tolls are based we will only distort the structure further in the wrong direction.

Let us remember that the toll income from the canal comes largely out of the pockets of American taxpayers, customers of the shipping lines, in the first place. Figures presented to the Appropriations Committee this year show that net operating revenues for fiscal 1956 were almost $41 million, of which over $36 million came from tolls. Net operating expenses were only $16.1 million. The revenue will be larger for fiscal 1957 and 1958. The balance of almost $25 million from the fiscal 1956 operations went to pay the cost of the Canal Zone Government, to pay interest charges on the capital investment charged against commercial operations, and to pay to the Treasury a return of a part of the original investment. It is obvious that shippers are already bearing a load out of all proportion to their just share when we consider the incalculable value of the canal and our military bases there to the defense of the country.

Certainly the agreement our State Department reached with Panama was not negotiated for the benefit of the shipping companies primarily. It was negotiated to prevent jeopardizing the United States position in that area from a defense point of view and from the point of view

of our relations with Latin American countries. It was negotiated also to forestall just such charges as precipitated Egypt's action in taking over at Suez. The arrangement is a matter of national policy and the payment of increased costs should come from the national pocketbook rather than from the shipping companies which are having a hard enough time already.

Mr. Speaker, I submit that H. R. 6709 should be passed as presented to us by the Committee on Merchant Marine, which has studied all phases of this whole matter and knows what it is doing.

Mr. BONNER. I yield to the gentleman from Maryland [Mr. GARMATZ] who has given a great deal of time and attention to this matter.

Mr. GARMATZ. As a member of the Panama Canal Committee, I want to associate myself with the remarks of the gentleman from North Carolina in favor of this legislation.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Washington, the ranking member of the Committee on Merchant Marine and Fisheries [Mr. TOLLEFSON].

Mr. TOLLEFSON. I would like to ask the gentleman if it is not true that the basic Canal Zone Act provides that any expenditures based on directives of the national policy shall not be charged to the operation of the canal?

Mr. BONNER. That has a great deal of bearing on this decision as to this $1,500,000. It does not mean that the door is closed.

If the State Department would give us as much information as they give to the other body, in all probability we could legislate with more expedition on this matter and know where we were going. So when the next session of Congress convenes, it will be my purpose to bring this matter to the attention of the committee to see if we can find out, since the State Department has already told us they could not advise us, how they reached the figure of $1,500,000. Perhaps we can get it by next session. I urge that the House pass this bill.

In the meantime, the Merchant Marine and Fisheries Committee will send a select advisory group of engineers, contractors, and ship operators to study the Panama Canal for improvement in operation-expansion and an alternate route via some other location outside the Panama area.

We expect to have information on the alternate route to report to Congress during the 2d session of the 85th Congress.

The SPEAKER. The time of the gentleman has expired.

All time has expired.

The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and on a division (demanded by GROSS) there were—ayes 81, noes 26.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 279, nays 91, not voting 62, as follows:

[Roll No. 171]

YEAS—279

Addonizio	Forand	Morrison
Alexander	Ford	Moss
Alger	Forrester	Moulder
Allen, Calif.	Fountain	Multer
Allen, Ill.	Frazier	Murray
Anderson, Mont.	Friedel	Neal
Andresen, August H.	Fulton	Nicholson
Andrews	Garmatz	Nimtz
Arends	Gary	Norblad
Ashley	Gathings	O'Brien, N. Y.
Ashmore	Gordon	O'Hara, Ill.
Aspinall	Grant	O'Hara, Minn.
Auchincloss	Gray	O'Neill
Avery	Green, Oreg.	Passman
Ayres	Green, Pa.	Patman
Bailey	Gregory	Pelly
Baker	Griffin	Perkins
Baldwin	Griffiths	Pfost
Barden	Gubser	Philbin
Baring	Hagen	Pilcher
Barrett	Haley	Poage
Bass, Tenn.	Halleck	Poff
Bates	Harden	Polk
Baumhart	Hardy	Porter
Becker	Harris	Price
Beckworth	Harrison, Nebr.	Rabaut
Bennett, Fla.	Harrison, Va.	Rains
Bennett, Mich.	Harvey	Ray
Berry	Haskell	Reuss
Boggs	Hays, Ark.	Rhodes, Pa.
Boland	Hays, Ohio	Riehlman
Bolling	Healey	Riley
Bonner	Hébert	Roberts
Boyle	Hemphill	Robeson, Va.
Bray	Herlong	Robsion, Ky.
Brooks, La.	Hiestand	Rodino
Brooks, Tex.	Hill	Rogers, Colo.
Broomfield	Hoeven	Rogers, Fla.
Brown, Ga.	Holifield	Rogers, Mass.
Brownson	Holland	Rogers, Tex.
Broyhill	Holmes	Roosevelt
Burdick	Holt	Rutherford
Burleson	Huddleston	Sadlak
Byrd	Hull	Saylor
Byrne, Pa.	Hyde	Scott, N. C.
Byrnes, Wis.	Ikard	Scudder
Canfield	Jackson	Seely-Brown
Cederberg	Jarman	Selden
Chamberlain	Jenkins	Shelley
Chenoweth	Johnson	Sheppard
Christopher	Jonas	Shuford
Chudoff	Jones, Ala.	Sieminski
Coad	Jones, Mo.	Sikes
Coffin	Karsten	Simpson, Ill.
Cole	Kean	Sisk
Cooley	Kee	Smith, Calif.
Cooper	Kelly, N. Y.	Smith, Miss.
Corbett	Keogh	Smith, Va.
Cramer	Kilday	Spence
Cretella	Kilgore	Springer
Cunningham, Nebr.	King	Staggers
Curtin	Kitchin	Steed
Curtis, Mass.	Kluczynski	Sullivan
Curtis, Mo.	Knutson	Talle
Davis, Tenn.	Laird	Teague, Calif.
Dawson, Utah	Lane	Teague, Tex.
Delaney	Lankford	Teller
Dellay	Lanham	Tewes
Dempsey	Lesinski	Thomas
Dennison	Lipscomb	Thompson, N. J.
Denton	Long	Thompson, Tex.
Devereux	Loser	Thomson, Wyo.
Dies	McCarthy	Thornberry
Dingell	McCormack	Tollefson
Dixon	McDonough	Trimble
Dollinger	McFall	Tuck
Donohue	McGovern	Udall
Dooley	McMillan	Ullman
Dorn, S. C.	Mack, Wash.	Van Zandt
Dowdy	Madden	Vorys
Doyle	Magnuson	Vursell
Dwyer	Mahon	Westland
Eberharter	Mailliard	Widnall
Edmondson	Martin	Wier
Elliott	Matthews	Wigglesworth
Evins	May	Williams, Miss.
Fallon	Merrow	Willis
Farbstein	Metcalf	Wolverton
Fascell	Miller, Calif.	Wright
Feighan	Miller, Nebr.	Yates
Fisher	Montoya	Young
	Morgan	Younger
	Morris	Zablocki
		Zelenko

NAYS—91

Abernethy	Gross	Morano
Adair	Gwinn	Mumma
Andersen, H. Carl	Henderson	Natcher
Bolton	Heselton	Norrell
Bosch	Hess	O'Brien, Ill.
Bow	Hoffman	Ostertag
Brown, Ohio	Horan	Patterson
Budge	James	Pillion
Bush	Jensen	Prouty
Byrne, Ill.	Johansen	Radwan
Cannon	Judd	Rees, Kans.
Carrigg	Keating	Rhodes, Ariz.
Chelf	Keeney	Rooney
Chiperfield	Kelley, Pa.	Schenck
Church	Knox	Scherer
Clevenger	Krueger	Schwengel
Collier	Latham	Scrivner
Colmer	LeCompte	Sheehan
Cunningham, Iowa	McCulloch	Siler
Dague	McGregor	Smith, Kans.
Derounian	McIntire	Smith, Wis.
Dorn, N. Y.	McIntosh	Stauffer
Fenton	McVey	Taber
Fino	Marshall	Vanik
Flood	Meader	Wainwright
Fogarty	Michel	Weaver
Gavin	Miller, Md.	Whitten
George	Miller, N. Y.	Williams, N. Y.
Granahan	Mills	Wilson, Ind.
	Minshall	Winstead
	Moore	Withrow

NOT VOTING—62

Abbitt	Durham	Powell
Albert	Engle	Preston
Anfuso	Flynt	Reece, Tenn.
Bass, N. H.	Frelinghuysen	Reed
Beamer	Hale	Rivers
Belcher	Hillings	Santangelo
Bentley	Holtzman	St. George
Betts	Hosmer	Saund
Blatnik	Kearney	Scott, Pa.
Blitch	Kearns	Simpson, Pa.
Boykin	Kilburn	Taylor
Breeding	Kirwan	Thompson, La.
Brown, Mo.	Landrum	Utt
Buckley	Lennon	Van Pelt
Carnahan	McConnell	Vinson
Celler	Macdonald	Walter
Clark	Machrowicz	Watts
Coudert	Mack, Ill.	Wharton
Davis, Ga.	Mason	Whitener
Dawson, Ill.	O'Konski	Wilson, Calif.
Diggs	Osmers	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Celler with Mr. Coudert.

Mr. Holtzman with Mrs. St. George.

Mr. Preston with Mr. Bass of New Hampshire.

Mr. Vinson with Mr. Taylor.

Mr. Walter with Mr. Simpson of Pennsylvania.

Mr. Flynt with Mr. Frelinghuysen.

Mr. Landrum with Mr. Mason.

Mr. Davis of Georgia with Mr. Betts.

Mr. Dawson of Illinois with Mr. Bentley.

Mr. Anfuso with Mr. Scott of Pennsylvania.

Mr. Buckley with Mr. Osmers.

Mr. Brown of Missouri with Mr. McConnell.

Mr. Kirwan with Mr. Hillings.

Mr. Carnahan with Mr. Beamer.

Mr. Rivers with Mr. Belcher.

Mr. Boykin with Mr. Kearns.

Mr. Albert with Mr. Utt.

Mr. Machrowicz with Mr. Van Pelt.

Mr. Blatnik with Mr. Kilburn.

Mr. Engle with Mr. Hosmer.

Mr. Mack of Illinois with Mr. Reece of Tennessee.

Mr. Santangelo with Mr. Reed of New York.

Mr. Macdonald with Mr. Kearney.

Mr. Thompson of Louisiana with Mr. Wharton.

Mr. Abbitt with Mr. O'Konski.

Mr. Lennon with Mr. Wilson of California.

Messrs. MONTOYA and VANIK changed their votes from "nay" to "yea."

Messrs. HENDERSON and COLLIER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

LOCK AND DAM NO. 3, LITTLE KANAWHA RIVER, W. VA.

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6535) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes," as amended.

The Clerk read the bill, as follows:

Be it enacted etc., That section 2 of the act approved August 6, 1956, entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes", Public Law 996, 84th Congress, 2d session, is hereby amended by adding the following: "*And provided further*, That in lieu of preparing dam No. 3 on the Little Kanawha River, W. Va., for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $50,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure."

The SPEAKER. Is a second demanded?

Mr. McGREGOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield such time as he may find necessary to the gentleman from West Virginia [Mr. BAILEY] to explain this bill.

Mr. BAILEY. Mr. Speaker, the story back of this legislation today began in 1876 when a private concern or an association of individuals constructed a series of five locks on the Little Kanawha River in West Virginia. They operated it as a private concern until 1905, when the Congress appropriated money and the Army engineers took over control of it. It was operated as a Government operation under the Army engineers until approximately 1947, at which time it ceased to be used for any navigation purposes. In the meantime, one of these severe flash floods in the Little Kanawha Valley caused a section of the locks to break through and did some considerable damage to property. It washed out the means of water supply for the town of Elizabeth. The water wells for the town were located along the river in quicksand territory. They are now going dry. Even their million-dollar high school on the banks of the river just about where the dam is located. Other damage was done. The State owned a fish hatchery about a mile above the dam. When the legislation was up that resulted in the passage of Public Law 996 2 years ago, the State conservation agency supplied me with figures that showed it would cost $96,000 to construct the necessary walls to protect the State fish hatchery. I submitted that to the Committee on Public Works. At that time my former colleague, Mr. Burnside, was a member of the Public Works Committee. It was submitted, but instead of the amount claimed by the State conservation commission, it was passed by the House 2 years ago at $50,000 and sent to the other body. Some kind of a compromise was reached and it was cut down to $20,000. So the State refused to accept the locks and be responsible for them, and the Government never made any offer to pay the $20,000 to the State conservation commission. So at the beginning of this Congress Senator REVERCOMB of our State introduced Senate bill 1520 which called for $150,000 to cover the expense of making the repairs to lock No. 3 near the city of Elizabeth, with the understanding that the city or town would take over the maintenance costs in the future. The House passed H. R. 6535, which is exactly the same as the bill passed by the Senate, except the House took the figure submitted by the Army engineers and limited the amount to $50,000, whereas the Senate had passed the same legislation for $150,000.

The idea is to get this legislation by if possible, so that we can work out a conference and try to agree on a proper figure.

If there are any questions, I will be glad to answer them at this time.

Mr. NEAL. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. NEAL. I would like to join with my colleague from West Virginia in requesting the passage of this bill. This proposed reconstructed dam is just outside of my district but adjoins the district represented by the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. I believe it was in the gentleman's district at one time.

Mr. NEAL. Yes. Now this bill is important for this particular reason: Aside from the guarantee of protection from the upstream floods, there is great need for the industrial area below this point. The conservation of industrial water for the purpose of developing the area down in the Little Kanawha Valley is very important.

I agree that the bill as it came back from the Senate is more likely to be a proper amount than that which is asked for in this bill, so I heartily agree that this bill should be passed.

Mr. BAILEY. I thank my colleague from West Virginia; and may I say in conclusion, that when the Army engineers decided to abandon these locks for navigation purposes they made repairs on lock No. 1 at the city of Parkersburg, and entered into an agreement with the American Viscose Co. to take over maintenance on it.

We are asking no more here in this instance of the Army engineers than what they did for a private concern, when they made repairs to lock No. 1 at Parkersburg for a private concern, that they make repairs to lock No. 3 at the city of Elizabeth.

I might add that several individuals have been very greatly injured by the change in the stream by the breaking of the lock; and in addition to damage claims by the State conservation commission, there will probably be 8 or 10 lawsuits by individuals. It will eventually cost the Government 10 times as much as we are asking for in this legislation.

Mr. NEAL. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. NEAL. I may say that I passed through the area mentioned by the gentleman, visited these locks, and I can say that what the gentleman mentioned is a very great possibility.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. GUBSER. I wonder if the gentleman can inform me if it is his belief that President Eisenhower supports this legislation?

Mr. BAILEY. I could not say about that. I appeared before the Public Works Committee the other day. I thought that was the group that handled this type of legislation. I asked them to pass the bill the same as the Senate passed it, as sponsored by the Republican Senator from West Virginia, Senator REVERCOMB; but instead of making it $150,000 they reported it out for $50,000. I have no idea why they reported it out for a lesser figure from the House committee than it was passed by the Senate.

Mr. McGREGOR. Mr. Speaker, in reply to the distinguished gentleman from West Virginia [Mr. BAILEY], I may say that when the bill was presented to the Committee on Public Works it called for an authorization of $150,000. The committee very carefully went into every detail and learned that the Army engineers had made a recommendation of $50,000.

The Bureau of the Budget had made a recommendation of $20,000.

We gave a great deal of consideration to the gentleman from West Virginia [Mr. BAILEY], and the gentleman from West Virginia [Mr. NEAL], but at no place could we find any requirement where $150,000 was needed.

So on the basis of the facts presented, the committee accepted an amendment for $50,000 instead of $150,000, and that was the recommendation of the Army engineers for the needed repair. Although we recognized that the budget had recommended only $20,000, we were willing to go along with the $50,000 as recommended by the Army engineers and the committee amended the legislation from $150,000 to $50,000. In the face of that, and the recommendation, and the statement which has been made I recommend that the bill be passed as reported out by the committee for $50,000.

Mr. Speaker, I have no further requests for time.

Mr. DAVIS of Tennessee. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the rules be suspended and the bill be passed.

The question was taken and (two-thirds having voted in favor thereof) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes."

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 of the act approved August 6, 1956, entitled "an act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," Public Law 996, 84th Congress, second session, is hereby amended by adding the following: "*And provided further,* That in lieu of preparing dam numbered 3 on the Little Kanawha River, W. Va., for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $150,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure."

Mr. DAVIS of Tennessee. Mr. Speaker, I offer an amendment to strike out all after the enacting clause and to substitute the House bill just passed.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Strike out all after the enacting clause of S. 1520 and insert the provisions of H. R. 6535 as passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The proceedings by which the bill, H. R. 6535, was passed were vacated and the House bill laid on the table.

A motion to reconsider was laid on the table.

AMENDING THE UNIVERSAL MILITARY TRAINING AND SERVICE ACT TO AUTHORIZE ADDITIONAL DEFERMENTS

Mr. BROOKS of Louisiana. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8850) to amend the Universal Military Training and Service Act to authorize additional deferments in certain cases.

The Clerk read as follows:

Be it enacted, etc., That section 4 (a) of the Universal Military Training and Service Act (50 U. S. C. App. 454), as amended, is amended by substituting a colon for the period at the end of the third paragraph and adding the following: "*And provided further,* That except in time of war or national emergency declared by the Congress the standards and requirements fixed by the preceding two provisos may be modified by the President under such rules and regulations as he may prescribe."

The SPEAKER. Is a second demanded?

Mr. ARENDS. Mr. Speaker, I demand a second.

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H. R. 8850 is a bill to amend the Universal Military Training and Service Act to authorize additional deferments in certain cases.

As you will recall, the Universal Military Training and Service Act provides in section 4 (a) "that the minimum standards for physical acceptability shall not be higher than those applied to persons inducted between the age of 18 and 26 in January of 1945: *Provided further,* That the passing requirement for the Armed Forces qualification test shall be fixed at a percentile score of 10 points."

The physical standards that were in effect in January of 1945 were the lowest that prevailed during World War II.

The percentile score of 10, established by law in 1951 as the lowest passing score for the Armed Forces qualification test, was based on the theory that of each 100 persons in the United States, 10 would be of no value to the armed services, with the thought that those with a score of between 10 and 30 might be of some value in limited areas.

Now under the proposed legislation the President would be given authority, except in time of war or national emergency declared by the Congress, to defer from training and service in the Armed Forces persons whose induction would tend to produce an excess of persons with similar qualifications in certain categories. The President would be allowed to do this by being given the authority, except in time of war or national emergency, to modify the standards which I have just read.

Now we all know that the complexities of our modern weapons developed during recent years requires a much higher quality of personnel than ever before in the history of our Nation. The simple fact of the matter is that the Army, under existing physical and mental standards, has been required to take too many men with low mentality to perform the highly complex and extremely important assignments that have been imposed upon the Army.

You might be interested to know that the Army divides its personnel among four mental groups.

Group 4 is the lowest I. Q. group.

In 1954, 27.6 percent of the enlistees in the Army were mental group 4 individuals, whereas 31.8 percent were group 4 inductees; but in the first 9 months of fiscal 1957 the group 4 enlistees had dropped to 17.6 percent of the total enlistees, while the group 4 inductees had increased to 34.2 percent.

In fact, in June of 1957, 39.5 percent of the total individuals inducted into the Army were in mental group 4, contrasted with 16.8 percent of the enlistees.

I might also mention 1 additional fact: 28.2 percent of the entire enlisted men of the Army are in mental group 4. Of the total number of enlisted personnel of the Army serving in detention barracks or Federal prisons, 53.9 percent of them came from mental group 4, and the remainder from the other 3 groups.

In other words, while a little over one-quarter of the Army enlisted personnel are in mental group 4, more than one-half of the Army prison population is made up of mental group 4 individuals.

Now if this legislation is enacted into law, inductees will be accepted for induction with no further screening if they achieve a percentile score of 31 points or higher on the Armed Forces qualification test.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa.

Mr. GROSS. To be right frank and honest, this bill will put a premium upon the boy who has some mental ability.

Mr. BROOKS of Louisiana. Well, I will put it this way, that it will raise the I. Q. standards of the services, for the Army especially.

Mr. GROSS. It will put the obligation to serve on the boy who has some grey matter working for him.

Mr. BROOKS of Louisiana. As I conclude my statement I will come to it a little more forcefully than that.

If they score 10 to 31 points, they will be given an Army Classification Battery.

Those who fail to make a satisfactory score in 2 of the aptitude areas will be rejected; those who receive satisfactory scores in 2 of the areas will be accepted.

The Army hopes to reduce its mental group 4 inductees to approximately 19 percent of the entire group inducted.

This is all being done with the thought in mind that there are individuals in these lower mentality groups who just cannot be trained. And even those who can be trained for some types of work involve costly expenditures because of the high basic training costs.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Minnesota.

Mr. WIER. I am really very proud to be here today representing the great State of Minnesota. This bill alarms me a little bit following the question by the gentleman from Iowa. As you perhaps know, Minnesota and Oregon rank as the 2 highest States as far as mental and physical tests are concerned in the military. Now, that would mean that Minnesota and the States up in the higher categories of mental and physical tests would be the ones heaviest drawn from.

Mr. BROOKS of Louisiana. I want to say that Minnesota should be proud of the manpower that it has furnished to the Nation, the fine type of manhood it has given to the services, you should be proud of them. This bill does not change the quota one bit. The quota will remain the same for Minnesota or Louisiana or any other State.

And it would naturally follow that the separations for inaptitude and unsuitability from among this group would be very high.

As a matter of fact, between June 30, 1956, and December 31, 1956, there were 8,600 administrative separations—5,200 of these were mental group 4 personnel.

The Army estimates that each one of these individuals has cost the taxpayers about $1,600, or a total of $8 million, and yet they have not given any useful service to the Army.

Now it just makes good common sense in this day and age, when we are attempting to improve the caliber of our Armed Forces, that we should give the Army, who are using these inductees, an opportunity to select men on somewhat higher standards than those that now prevail.

Of course, these individuals will be deferred, so they will remain liable for induction up to age 35 in the same manner as all other individuals who are deferred for any reason.

This amendment to the law which is proposed in this bill will not apply in time of war or national emergency declared by the Congress.

But in a period of relative stability, as we are experiencing today, it certainly is ridiculous to insist that the Army induct individuals, many of whom cannot perform any useful service to the Army, with the resultant increase in training costs, and reduced efficiency, as well as the fact that these individuals constitute, by far, the greater disciplinary problem in the Army.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I want to comment on the statement of the gentleman from Minnesota [Mr. WIER]. Iowa does not take a back seat either to Minnesota or Oregon in the caliber of the young people it contributes to the service.

Mr. BROOKS of Louisiana. Of course not. But the quota of Iowa and the quota of Minnesota need not be raised at all. The quota of Louisiana, of Mississippi, of New York and California and Oregon and all the other States will remain the same. The same relative percentage will hold for the armed services.

Mr. GROSS. Yes; but the gentleman will agree that it puts a premium upon the young man who has some intelligence, it puts a premium of service upon him?

Mr. BROOKS of Louisiana. It does this. When you cannot train a man, it allows the Army to release him and then to induct another man into the service who does have the I. Q. sufficient to carry on, to take orders, to learn the plans and program of the Army and to handle them efficiently.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman.

Mr. VANIK. We have a great many people who avoid their obligation of jury duty sometimes by merely stating that they are opposed to capital punishment. Has the committee learned anything about the attitude of some young men who deliberately fail an examination?

Mr. BROOKS of Louisiana. The gentleman makes a good point; but this is nothing new. We are merely going back to the old law which operated very well. There was nothing wrong with it. The reason for the change was that at the end of World War II we began to scrape the bottom of the barrel. We had no large reserve in the manpower pool and we lowered the I. Q. when we knew that in doing so we may have been doing the wrong thing. We had to have the manpower regardless of the I. Q.; we had to have so many individuals, so many bodies to put into service. We took men whom normally we would not have taken. Now we are merely going back to the old law that worked and with which there was nothing wrong.

Mr. VANIK. I thank the gentleman.

Mr. LONG. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman.

Mr. LONG. Mr. Speaker, I want to compliment my colleague for the splendid statement he has made and repeat a question which he has already answered, but so that everybody will understand it. We are merely going back to where we were toward the end of World War II, is not that right?

Mr. BROOKS of Louisiana. That is correct.

Mr. LONG. In fact, this was the way we took them in up to that time, but when we needed men so badly we went to the bottom of the barrel.

Mr. BROOKS of Louisiana. At the end of World War II we were scraping the bottom of the barrel. We changed the law. Now we have a huge manpower pool, yet we are in effect forcing the military to take in and attempt to train men who they know before they take them in cannot be properly trained. They are giving them special discharges to get them out of the service, and we are having a cost to the taxpayers for men who we know in advance cannot be properly trained.

I thank my colleage for bringing up that point.

Mr. LONG. I am trying to emphasize that this is nothing new.

Mr. BROOKS of Louisiana. As I said a moment ago, in a 6-month period it cost us $8 million to take into the service men who we know at the time could not properly receive the training, and then released them under special discharges. When those men are released they are not happy because they do not necessarily have honorable discharges but special discharges because the service cannot use their services.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Kansas.

Mr. GEORGE. If we raise the I. Q. of the Army, do you think you will do something for this special report which will base the pay on the abiilty of a man to serve his country? Does the gentleman's committee intend to do anything with that?

Mr. BROOKS of Louisiana. The gentleman is referring to the Cordiner report?

Mr. GEORGE. That is right.

Mr. BROOKS of Louisiana. I am familiar with the Cordiner report. We have not taken it up and probably will not before adjournment, but personally I think very kindly of the Cordiner report. It has a lot of good points in it and our committee certainly ought to consider it.

Mr. GEORGE. I hope you go into it thoroughly next year.

Mr. BROOKS of Louisiana. I thank the gentleman very much.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is not this situation the fault of the local draft board?

Mr. BROOKS. Perhaps so, but who are we to point the accusing finger at those who serve without pay? So I do not do it. I much prefer to do this. If we gave the Army a little higher I. Q. we would not have the problem.

Mr. HOFFMAN. The gentleman was here and remembers back when we wrote an exemption into the law as to farm labor, agricultural employees. Does the gentleman remember that?

Mr. BROOKS of Louisiana. Yes.

Mr. HOFFMAN. Right out of Hershey's office came an order to the local draft boards to take these men in regardless of our exemption. Why does not the Army drop them out? Why does not Hershey follow instructions?

Mr. BROOKS of Louisiana. We do not want the Army acting arbitrarily. We would far rather give the Army authority than to say, "We will just refuse to take men into service that the draft board sends us."

Mr. HOFFMAN. The Congress wrote that exemption for agricultural employees.

Mr. BROOKS of Louisiana. At one time the State of Michigan led the Nation in the number of exemptions for agriculture, as I remember.

Mr. HOFFMAN. We wrote that law, and Hershey came out and told our boards—if the gentleman recalls, our former colleague, Earl Michener, took the floor against it—to take them anyway; and they did.

Mr. BROOKS of Louisiana. We want to give the services a law they can follow and do not have to flout.

Mr. HOFFMAN. You cannot make the drafting services follow the law, and they have not.

Mr. ARENDS. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, there is little that I can add to the very complete and splendid explanation of the necessity for the proposed legislation as presented to the House by the distinguished gentleman from Louisiana [Mr. BROOKS].

When the Congress inserted in the Universal Military Training and Service Act the present provision of law that the passing requirement for the Armed Forces Qualification Test was to be fixed at a percentile score of 10 points, our Armed Forces were undergoing a rapid expansion and the manpower pool available for service under the existing draft law at that time, in June of 1951, had been reduced to a very low level.

Thus, Congress established this very low minimum mental standard to enable the Armed Forces to expand and maintain the increased strength required by the Korean hostilities.

You will recall that our Armed Forces attained a strength of almost 3,700,000 during the Korean period. Of this number, the Army consisted of 1,600,000.

Today our strength figures are somewhat under 2,800,000, and by December 31, 1957, the Army strength will be approximately 950,000.

Thus, our requirement for manpower has decreased, although our requirement for men of a higher mental level has substantially increased.

When we consider the fact that the modern army today is made up of complex electronic devices, guided missiles, atomic weapons, intricate communication systems, and exceedingly mobile transportation methods, together with the substantially higher requirements for individual initiative in smaller unit operations, it becomes quite apparent that the Army's needs for higher quality inductees increases almost daily.

Enactment of the proposed legislation will not only increase the quality of our armed services, but also the combat effectiveness of the Army.

Likewise, it will save a considerable amount of money, since inductees with a higher level of mentality will not require the special rudimentary training now necessary just to make these individuals capable of performing the simplest assignments.

I think it is only necessary for me to repeat these figures to give you an idea of the importance of this legislation.

Twenty-eight and two-tenths percent of the enlisted personnel of the Army are in the lowest mental group, group IV, but 53.9 percent of the enlisted men serving sentences for offenses committed under the Uniform Code of Miliary Justice come from this mental group. In other words, while slightly over one-quarter of the Army's enlisted personnel are in the low mental group IV, more than one-half of the disciplinary problems come from this group.

And, finally, let me again repeat that during the 6 months' period from June 1956 until December 1956, when 8,600 men were discharged from the Army administratively, 5,200 were in mental group IV. At an approximate cost of $1,600 per man, this representated a nonproductive expenditure, or total loss, of $8 million.

Mr. Speaker, I sincerely hope that the House will pass the proposed legislation, H. R. 8850, and that it will receive prompt and quick approval in the other body.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING SECTION 1552, TITLE 10, UNITED STATES CODE, AND SECTION 301 OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

Mr. DOYLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8772) to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That subtitle (a) of title 10, United States Code, is amended as follows:

"§ 1552. Correction of military records: claims incident thereto

"(a) The Secretary of the military department, under uniform procedures established by and approved by the Secretary of Defense, and acting through boards of civilians of the executive part of that military department, may correct any military record of that department when he considers it necessary to correct an error or remove an injustice. Under procedures prescribed by him, the Secretary of the Treasury may in the same manner correct any military record of the Coast Guard. Except when procured by fraud, a correction under this section is final and conclusive on all officers of the United States. When considering the case of any individual heretofore or hereafter discharged or dismissed from any of the Armed Forces under conditions other than honorable, the board shall take into consideration in each case the reasons for the type of the original discharge or dismissal, including, but not limited to:

"(i) The conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(ii) the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(iii) the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and

"(iv) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal.

"(b) No correction may be made under subsection (a) unless the claimant or his heir or legal representative files a request therefor before October 26, 1961, or within 3 years after he discovers the error or injustice whichever is later. However, a board established under subsection (a) may excuse a failure to file within 3 years after discovery if it finds it to be in the interest of justice.

"(c) The department concerned may pay, from applicable current appropriations, a claim for the loss of pay, allowances, compensation, emoluments, or other pecuniary benefits, or for the repayment of a fine or forfeiture, if, as a result of correcting a record under this section, the amount is found to be due the claimant on account of his or another's service in the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be. If the claimant is dead, the money shall be paid, upon demand, to his legal representative. However, if no demand for payment is made by a legal representative, the money shall be paid—

"(1) to the surviving spouse, heir, or beneficiaries, in the order prescribed by the law applicable to that kind of payment;

"(2) if there is no such law covering order of payment, in the order set forth in section 2771 of this title; or

"(3) as otherwise prescribed by the law applicable to that kind of payment.

A claimant's acceptance of a settlement under this section fully satisfies the claim concerned. This section does not authorize the payment of any claim compensated by private law before October 25, 1951.

"(d) Applicable current appropriations are available to continue the pay, allowances, compensation, emoluments, and other pecuniary benefits of any person who was paid under subsection (c), and who, because of the correction of his military record, is entitled to those benefits, but for not longer than 1 year after the date when his record is corrected under this section if he is not reenlisted in, or appointed or reappointed to, the grade to which those payments relate. Without regard to qualifications for reenlistment, or appointment or reappointment, the Secretary concerned may reenlist a person in, or appoint or reappoint him to, the grade to which payments under this section relate.

"(e) No payment may be made under this section for a benefit to which the claimant might later become entitled under the laws and regulations administered by the Administrator of Veterans' Affairs.

"(f) The Secretary of Defense for the military departments, and the Secretary of the Treasury for the Coast Guard, shall report to Congress every 6 months on claims paid under this section during the period covered by the report. The report shall include for each claim the name of the claimant, a brief description of the claim, and a statement of the amount paid.

"(g) In the case of any individual heretofore or hereafter discharged or dismissed from any of the Armed Forces under conditions other than honorable, the appropriate board shall with the approval of the appropriate Secretary issue to such individual a general discharge (limited) dated as of the date it is issued by the board, if, after taking into consideration in each case the reasons for the nature of the original discharge or dismissal, including, but not limited to:

"(i) The conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(ii) the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(iii) the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and

"(iv) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal,

it is established to the satisfaction of the board by oral or written evidence, or both, including, but not limited to:

"(1) a notarized statement from the chief law enforcement officer of the city, town, or county in which the individual resides attesting to the individual's general reputation insofar as police and court records are concerned;

"(2) a notarized statement from the individual's employer, if employed, attesting to the individual's general reputation and employment record;

"(3) notarized statements from not less than 5 persons, attesting to the fact that they have personally known the individual for not less than 3 years as a person of good reputation and exemplary conduct, and further attesting as to the actual extent of personal contact with the individual concerned,

and by such independent investigation as the board may make, that such individual has rehabilitated himself, that his character is good, and that his conduct, activities and habits since he was granted his original discharge (or since originally dismissed) have been exemplary for a reasonable period of time, and in any event for not less than 3 years.

"Applications and reapplications for correction of records under this subsection may be filed at any time, but not before 3 years has elapsed following the original discharge or dismissal.

"No benefits under any laws of the United States (including, but not limited to, pension, compensation, hospitalization, military pay and allowances, education, loan guaranty, retired pay, and other benefits) shall be afforded any individual issued a general discharge (limited) under this subsection unless he would be entitled to such benefits under his original discharge or dismissal. Except as otherwise provided in this act, no general discharge (limited) shall be issued except pursuant to the provisions of this subsection, and after a specific finding by the board that such a discharge is issued pursuant to the provisions of this subsection.

"(h) The Secretary of Defense for the military departments and the Secretary of the Treasury for the Coast Guard shall submit to the Congress not later than January 15 of each year, a report stating the number of cases reviewed by each board under the provisions of subsection (g), and the number of general discharges (limited) issued pursuant to subsection (g) of this section."

SEC. 2. Section 301 of the Servicemen's Readjustment Act of 1944 (38 U. S. C. 693) is amended to read as follows:

"SEC. 301. (a) The secretary of a military department, and the Secretary of the Treasury for the Coast Guard, under uniform procedures established by and approved by the Secretary of Defense, and after conference with the Administrator of Veterans' Affairs, is authorized and directed to establish in his military department, respectively, boards of review composed of five members each, whose duties shall be to review, on their own motion or upon the request of a former officer or enlisted man or woman or, if deceased, by the surviving spouse, next of kin, or legal representative, the type of his discharge or dismissal. Such review shall be based upon all available records of the service department relating to the person requesting such review taking into consideration in each case the reasons for the type of the original discharge or dismissal, including, but not limited to:

"(i) the conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(ii) the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(iii) the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and

"(iv) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal. Witnesses shall be permitted to present testimony either in person or by affidavit and the person requesting review shall be allowed to appear before such board in person or by counsel: *Provided*, That the term 'counsel' as used in this section shall be construed to include, among others, accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936 (Public Law No. 844, 74th Cong.). Such board shall have authority, except in the case of a discharge or dismissal by reason of the sentence of a general court-martial, to change, correct, or modify any discharge or dismissal, and to issue a new discharge in accord with the facts presented to the board. The Uniform Code of Military Justice is hereby amended to authorize the secretary of each military department to establish such boards of review, the findings thereof to be final subject only to review by the respective Secretary: *Provided further*, That no request for review by such board of a discharge or dismissal under the provisions of this subsection shall be valid unless filed within 15 years after such discharge or dismissal or within 15 years after the effective date of this act whichever be the later: *And provided further*, That the authority conferred upon the Secretary of the Army and the Secretary of the Navy by this section shall vest in and be exercised by the Secretary of the Treasury, at such times as the Coast Guard is operating under the Treasury Department, with respect to the discharge or dismissal of former personnel of the Coast Guard, and that the findings of boards established pursuant to such authority shall be final subject only to review by the Secretary of the Treasury.

"(b) In the case of any individual heretofore or hereafter discharged or dismissed from any of the Armed Forces under conditions other than honorable the appropriate board shall with the approval of the appropriate Secretary issue to such individual a general discharge (limited) dated as of the date it is issued by the board, if, after taking into consideration in each case the reasons for the nature of the original discharge or dismissal, including, but not limited to:

"(i) the conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(ii) the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(iii) the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and

"(iv) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal, it is established to the satisfaction of the board by oral or written evidence, or both, including, but not limited to:

"(1) a notarized statement from the chief law enforcement officer of the city, town, or county in which the individual resides attesting to the individual's general reputation insofar as police and court records are concerned;

"(2) a notarized statement from the individual's employer, if employed, attesting to the individual's general reputation and employment record;

"(3) notarized statements from not less than five persons, attesting to the fact that they have personally known the individual for not less than 3 years as a person of good reputation and exemplary conduct, and further attesting as to the actual extent of personal contact with the individual concerned; and by such independent investigation as the board may make, that such individual has rehabilitated himself, that his character is good and that his conduct, activities, and habits since he was granted his original discharge (or since originally dismissed) have been exemplary for a reasonable period of time, and in any event for not less than 3 years.

"Applications and reapplications for correction of records under this subsection may be filed at any time, but not before 3 years have elapsed following the original discharge or dismissal.

"No benefits under any laws of the United States (including, but not limited to, pension, compensation, hospitalization, military pay and allowances, education, loan guaranty, retired pay, and other benefits) shall be afforded any individual issued a general discharge (limited) under this subsection unless he would be entitled to such benefits under his original discharge or dismissal. Except as otherwise provided in this act, no general discharge (limited) shall be issued except pursuant to the provisions of this subject, and after a specific finding by the board that such a discharge is issued pursuant to the provisions of this subsection.

"(c) The Secretary of Defense for the military departments and the Secretary of the Treasury for the Coast Guard shall submit to the Congress not later than January 15 of each year, a report stating the number of cases reviewed by each board under the provisions of subsection (b) of this section, and the number of general discharges (limited) issued pursuant to subsection (b) of this section."

The SPEAKER pro tempore (Mr. MILLS). Is a second demanded?

Mr. DEVEREUX. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DOYLE. Mr. Speaker, I yield myself such time as may be necessary.

Mr. Speaker, this bill comes from the Committee on Armed Services with almost a unanimous vote. That vote followed a week of public hearings by a special committee of five members of the Committee on Armed Services, appointed by the Honorable CARL VINSON. That special committee consisted of WILLIAM G. BRAY, of Indiana; Mr. GEORGE HUDDLESTON, of Alabama; Mr. CHARLES S. GUBSER, of California; Mr. A. PAUL KITCHIN, of North Carolina; and myself as chairman. The record will show it was a working committee. The special subcommittee held several executive meetings before we went into public sessions. Then, after hearing the military in a public session, and after hearing many witnesses during the week in public session, we again held executive meetings to consider what the final text of this recommendation should be that we would make to you today. I wish to say that while the gentleman from Georgia [Mr. VINSON] is not on the floor today, being away from Washington, he strongly approved the bill in public session of the Committee on Armed Services, and spoke out in the Armed Services Committee in cordial support of this very bill and directed that the special subcommittee ask that the bill be placed upon the suspension calendar. The special subcommittee report to the full Armed Services Committee was considered for over 30 minutes.

I wish to thank the members of the special subcommittee for their faithful work and likewise we of the committee thank our subcommittee counsel, Russ Blandford.

The purpose of H. R. 8772 is to amend that part of the Servicemen's Readjustment Act of 1944 which deals with the Boards of Review, Discharges and Dismissals, as well as that portion of the United States Code which pertains to the Boards for the Correction of Military, Navy, and Air Force Records.

I have tried to keep all the Members of the House informed of the progress that has been made in the development of this bill, and I hope you have had the benefit of reading the insertions in the CONGRESSIONAL RECORD that I have heretofore made; the first one on February 18,

1957, at pages 2184–2185, and pages 129–132. The second one on March 14, 1957, at pages 3757–3760.

The bill before the House today does not go as far as some Members would like it to go, but on the other hand, it may go too far for others. This bill is designed to be a commencement study of a very vital area relating to hundreds and thousands of veterans who made mistakes in their temporary military experiences, but who were nevertheless not bad at heart nor intent on crime.

No Government benefit would go to the recipients of the type of discharge provided for in this bill. Stated briefly, the proposed legislation requires the boards now authorized to review discharges and dismissals to take into consideration in these reviews the post-service exemplary conduct of applicants for review and then to award a "General Discharge, Limited," but, permissibly and in those cases where the board feels that the factors leading to the discharge and the later exemplary conduct of applicant for a period of not less than 3 years following separation justifies such action. The bill is retroactive. It will benefit many hundreds already discharged and who have already led exemplary lives for over 3 years.

Now, I want to make it clear at the outset that the "General Discharge, Limited" is not a discharge under honorable conditions. It was difficult to arrive at a suitable designation for what the committee had in mind. It does not set aside the facts which led to the original discharge, and it does not act as a substitute for the original discharge, because it will be dated as of the date the board issues the new discharge, "General Discharge, Limited." It does not in any manner whatsoever change the original discharge received by the veteran. It does not change the military records of military service. It does not pretend to supplant the military service discharge. It is limited to civilian conduct. But, it will help remove unearned stigma and will help deserving men and women.

The whole purpose of the proposed legislation is to give the young men and women of this country who have less than honorable discharges of any type an opportunity to present their cases before these constituted boards and authorities, at the Pentagon, and to authorize these boards not new or different boards to give these individuals something better than the undesirable, dishonorable, or bad conduct discharge which they originally received upon separation, provided however, the boards find in their sole judgment that these persons are entitled thereto by reason of all the factors they are required to consider. This bill adds the factor of exemplary conduct for not less than 3 years.

We have gone into this matter very thoroughly. We have set out in detail the criteria to be considered by reason of the terms of this bill. On pages 10, 11, and 12 of the bill it provides:

"(b) In the case of any individual heretofore or hereafter discharged or dismissed from any of the Armed Forces under conditions other than honorable the appropriate board shall with the approval of the appropriate Secretary issue to such individual a general discharge (limited) dated as of the date it is issued by the board, if, after taking into consideration in each case the reasons for the nature of the original discharge or dismissal, including, but not limited to:

"(i) the conditions that prevailed at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(ii) the age of the individual at the time of the incident, statement, attitude, or act which led to the original discharge or dismissal;

"(iii) the normal punishment that might have been adjudged had the act or incident been committed in civilian life; and

"(iv) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to the discharge or dismissal,

it is established to the satisfaction of the board by oral or written evidence, or both, including, but not limited to:

"(1) a notarized statement from the chief law enforcement officer of the city, town, or county in which the individual resides attesting to the individual's general reputation insofar as police and court records are concerned;

"(2) a notarized statement from the individual's employer, if employed, attesting to the individual's general reputation and employment record;

"(3) notarized statements from not less than five persons, attesting to the fact that they have personally known the individual for not less than 3 years as a person of good reputation and exemplary conduct, and further attesting as to the actual extent of personal contact with the individual concerned;

and by such independent investigation as the board may make, that such individual has rehabilitated himself, that his character is good and that his conduct, activities, and habits since he was granted his original discharge (or since originally dismissed) have been exemplary for a reasonable period of time, and in any event for not less than 3 years.

"Applications and reapplications for correction of records under this subsection may be filed at any time, but not before 3 years have elapsed following the original discharge or dismissal.

"No benefits under any laws of the United States (including, but not limited to, pension, compensation, hospitalization, military pay and allowances, education, loan guaranty, retired pay, and other benefits) shall be afforded any individual issued a general discharge (limited) under this subsection unless he would be entitled to such benefits under his original discharge or dismissal. Except as otherwise provided in this act, no general discharge (limited) shall be issued except pursuant to the provisions of this subject, and after a specific finding by the board that such a discharge is issued pursuant to the provisions of this subsection.

Mr. Speaker, I know for a fact, every committee member studying this difficult and imperative problem has been guided by the basic principle that must prevail in our Armed Services to the effect that the maintenance of discipline is fundamental to our Armed Forces. We have been aware of this and our military has reminded us of it frequently.

We all know that all young men and women who get into trouble are not always bad and not always necessarily undesirable or bad, as we accept those terms. It is these thousands in our military, who make bad mistakes against military rules and regulations. But our bad mistake should not condemn for a lifetime. Humanitarian instinct cries out against such a policy. It is an unnecessary policy as well as being unsound and without cause. Its results are destructive and disastrous to thousands of young Americans who find that their temporary military career in the service of their country has affixed a ton of lead about their feet for all their lives. We believe the military will like this bill. We depend upon them to give it every fair opportunity to bless those intended.

What they did may have been undesirable and their conduct may have been bad, but very many of them do not deserve a life sentence which such discharge hangs around them. All the veterans organizations at the national level testified before our special committee. They did not have this final committee print before them. Some of them opposed the original H. R. 1108.

There are ample provisions of law now in existence which authorize the review of discharges where errors or injustices are alleged. Under existing law there is no method now by which an individual can request another discharge, based upon his post service conduct, taken into consideration with the factors that led to his original discharge. This bill H. R. 8772, resulting from a diligent, and a fair consideration of this difficult and very important area of experience by many thousands of American youth, is an effort to enact legislation to meet an existing necessity. It is not intended to be a final treatment in this field of study.

The hearings before the special subcommittee appointed by Chairman CARL VINSON, of the full Armed Services Committee, to make a study of my original bill, H. R. 1108, proved very helpful to our study. For instance, our reason given for this bill being here before us today is the common knowledge and experience that a discharge less than honorable from our military fixes an indelible stigma upon the recipient thereof. Also, that such a discharge, less than honorable, sharply increases the handicap of either social acceptance or dignified gainful employment.

So, let us read from the subcommittee hearings just our question and our answer on this very point.

I, as subcommittee chairman, asked Deputy Assistant Secretary of Defense Jackson, on page 2370 of the hearings:

Mr. DOYLE. May I ask a couple of questions? There is no question in your mind, then, Mr. Secretary, but that any discharge less than honorable, does, as you say in your fine statement, and in your answers to questions, leave the holder or the recipient thereof with a stigmatized condition. Is that true?

Mr. JACKSON. That is correct, sir.

Mr. DOYLE. Both as to the social standing in the community and as to ready ability to obtain dignified and commensurate employment? Would you agree with me?

Mr. DOUGLAS. Yes, sir.

I would like to mention one additional determining factor which we must not overlook. Since 1940, more than 189,000 servicemen have received bad conduct or dishonorable discharges; while more than 248,000 have received undesirable discharges. An undesirable discharge can be issued administratively; a bad conduct or dishonorable discharge can

only be issued pursuant to a sentence of court-martial.

We have strongly recommended in our report, that uniform procedures be established throughout the armed services for the handling of administrative undesirable discharges. Now there will be some who will argue that no person should be discharged from the armed services under less than honorable conditions, except pursuant to the action of a court-martial. These people argue that everyone is entitled to a trial. I was first inclined toward that view, but I changed my mind when I discovered that there are many cases in the armed services in which individuals admit to having undesirable habits, but cannot possibly be legally convicted by court-martial proceedings. For example, there is no way by which an individual can be legally convicted, as an admitted user of narcotics, based solely on his own confession, particularly if that individual claims he did not use narcotics before entering the service. The same is true of homosexuals. The same situation exists with respect to individuals who are convicted by civilian authorities and sentenced to prison. So there must be some method by which individuals can be discharged administratively. Many Members of this body have related to me cases in their own Congressional districts where they believed men were entitled to have their exemplary civilian conduct considered as a factor looking to a type of discharge which would at least help to remove some of the stigma attaching by reason of the original discharge received by the veteran, which had become an indelible life sentence and a ton of lead to many thousands of former military personnel when it came to such veterans trying for a decent employment status commensurate with their ability, ambition, and their admitted rehabilitation. I invite you to read the committee hearings and report.

The implementation of this bill will not require any appropriation of funds.

I urge the House to suspend the rules and pass H. R. 8772. I will include in the CONGRESSIONAL RECORD copies of certain pertinent correspondence and reports to our committee from the military.

ASSISTANT SECRETARY OF DEFENSE,
MANPOWER, PERSONNEL, AND RESERVE,
Washington, D. C., June 28, 1957.

Hon. CLYDE DOYLE,
House of Representatives.

DEAR MR. DOYLE: In your letter of May 17, you requested certain additional information concerning less than honorable discharges issued by the military services. On May 28 members of my staff discussed with Mr. Russell Blandford of your office the difficulties in supplying the data you requested.

As pointed out to Mr. Blandford, the 1,000-case sample submitted to you on May 13 was a random sample from the four services. There is no way that we can reconstruct this sample for final analysis, since the data were extracted from records not maintained as a separate identifiable group but now filed with several million records of ex-service personnel.

I am informed that the records of all personnel separated or discharged since September 1945 are filed alphabetically by the Army and the Air Force. To sort these records for undesirable discharge cases by specific reason for discharge would require an estimated 1 million man-hours and $2.4 million in the Army. Air Force estimated time and cost is comparable.

In view of the above, Mr. Blandford suggested that any sampling of cases of undesirable discharge which would indicate the relative frequency of specific reasons for separation would be acceptable in lieu of the data you requested. Each of the services was able to assemble information on approximately 100 cases without excessive costs or workload. Analysis of these samples is attached. These figures constitute the maximum accessible within time and resources available.

With reference to the questions contained in the third paragraph of your letter of May 17, discharges for unfitness and misconduct are undesirable discharges. This is an administrative type of discharge as contrasted with the bad conduct discharge and the dishonorable discharge, both of which are punitive discharges resulting from the actions of courts-martial. Undesirable discharges are never given as a result of court-martial, but result from formal board proceedings. I am attaching a brief summary of the procedures followed by the four services in giving and reviewing administrative discharges.

I trust that you will find the attached reports helpful to you and to your committee in your deliberations on H. R. 1108.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

DATA ON SAMPLE OF APPROXIMATELY 100 ADMINISTRATIVE DISCHARGES—UNDESIRABLE DISCHARGES IN EACH OF THE FOUR SERVICES

Army: 97 undesirable discharges.

Seventy-three appeared before a board, 24 did not. Reasons for the discharges are as follows:

Unfitness (habits or traits of character manifested by antisocial or amoral trends; chronic alcoholism; drug addiction; pathological lying or misconduct; unclean habits, etc.)	74
Fraudulent enlistment	6
Convicted by civil court	7
AWOL—trial waived	3
Homosexuality	7

Navy: 106 undesirable discharges.

All were given warning and permitted to submit a statement. All considered by board in Washington in the Bureau of Naval Personnel. Reasons for the discharges are as follows:

Repeated offenders	31
Civil conviction	25
Homosexuality	39
Desertion (without trial—statute of limitations)	1
Repeated venereal disease	7
Fraudulent enlistment	3

Marine Corps: 104 undesirable discharges.

All undesirable discharges are predicated on a hearing held by board of officers before whom the individual appears if available, and in any event to whom the individual is afforded the opportunity to make a statement. All proceedings are reviewed at Marine Corps headquarters. Reasons for the discharges are as follows:

Repeated military offenses	8
Conviction by civil authorities	56
Homosexuality	40

Air Force: 100 undesirable discharges.

Sixty-five did not appear before the board, 35 did. None resigned in lieu of court-martial or board action. Reasons for the discharges are as follows:

AWOL and series of petty offenses	23
Drunkenness	16
Bad debts	7
Habitual shirkers	7
Drug addiction	1
Bad checks	1
Numerous courts-martial (3 or more)	45

ASSISTANT SECRETARY OF DEFENSE,
MANPOWER, PERSONNEL AND RESERVE,
Washington, D. C., May 13, 1957.

Mr. JOHN R. BLANDFORD,
Counsel, Armed Services Committee,
House of Representatives.

DEAR MR. BLANDFORD: In response to your telephone request on April 17 to Captain Adams, United States Navy, Director, Office of Legislative Liaison, regarding additional statistics concerning actions of the Discharge Review Boards and Boards for the Correction of Military Records, the following information is furnished:

	Army		Navy and Marine		Air Force	
	Discharge Review Boards	Boards for the Correction of Military Records	Discharge Review Boards	Boards for the Correction of Military Records	Discharge Review Boards	Boards for the Correction of Military Records
Total number of discharge cases reviewed since inception	54,983	8,927	41,699	6,279	15,779	1,374
Number of discharges changed	8,855	786	9,337	826	1,093	102
Number of changes of less than honorable conditions to honorable conditions or better	8,855	178	3,454	733	844	87
Remarks: Statistics for period as indicated	(1)	(2)	(3)	(4)	(5)	(6)

[1] October 1944, through February 1957.
[2] June 1947 to Mar. 31, 1957.
[3] January 1946, through March 1957.
[4] April 1947, through April 1957.
[5] June 14, 1948 to Apr. 17, 1957.
[6] June 1, 1950 to Apr. 17, 1957. Statistics not available prior to June 1, 1950.

I trust that the above meets your request. If I can be of any further assistance, please do not hesitate to call on me.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE SECRETARY,
Washington, July 8, 1957.

Hon. CARL VINSON,
Chairman, Committee on Armed Services,
House of Representatives.

DEAR MR. CHAIRMAN: In accord with a request made by Mr. John R. Blandford, counsel, I am forwarding a compilation of figures relating to H. R. 1108, 85th Congress, a bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes.

The following figures have been obtained from the different services and the forwarding of them to you has been approved by

the Office of the Secretary of Defense, General Counsel. It should be noted that the figures relating to discharges extend back over a considerable number of years and consequently are not precise. They are the best available totals and do not purport to be exact, however they can be utilized as general accounting figures.

Services discharges

(Fiscal-year dates)

Army

Dishonorable discharges	65,000	(1940–56)
Bad-conduct discharges	9,900	(1950–56)
Undesirable discharges	164,000	(1940–56)

Navy

Dishonorable discharges	8,063	(1940–56)
Bad-conduct discharges	70,290	(1940–56)
Undesirable discharges	38,157	(1940–56)

Marine Corps

Dishonorable discharges	1,961	(1946–56)
(Dishonorable discharges; bad-conduct discharges combined)	4,519	(1940–45)
Bad-conduct discharges	13,886	(1946–56)
Undesirable discharges	13,536	(1940–56)

Air Force

Dishonorable discharges	5,300	(1949–56)
Bad-conduct discharges	12,050	(1949–56)
Undesirable discharges	32,750	(1949–56)

Sincerely yours,

V. J. ADDUCI,
Colonel, USAF, Assistant Director, for and in the Absence of Joe W. Kelly, Major General, USAF, Director, Legislative Liaison.

ASSISTANT SECRETARY OF DEFENSE,
MANPOWER, PERSONNEL, AND RESERVE,
Washington, D. C., June 19, 1957.

Hon. CLYDE DOYLE,
Chairman, Special Subcommittee on Military Discharges, Committee on Armed Services, House of Representatives.

DEAR CHAIRMAN DOYLE: This supplements my letter of May 10, 1957, and is in further reply to your letter of April 30, 1957, in which you requested detailed information concerning 36 discharge cases of 6-month trainees.

Attached are copies of the information you requested pertaining to 32 of the 36 cases discharged under conditions other than honorable.

The Department of the Army was unable to provide information on 4 cases due to the excessive administration involved, as indicated per attached copy of memorandum dated June 1, 1957.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D. C., June 1, 1957.

Memorandum for: Deputy Assistant Secretary of Defense (MP&R).

Subject: Discharges of 6-month trainees under conditions less than honorable.

1. Reference is made to memorandum from your office dated May 10, 1957, on the above subject transmitting a request from Congressman DOYLE for further information concerning 6-month trainees discharged under conditions less than honorable.

2. Available data is attached at enclosure 1 for 19 administrative, and at enclosure 2 for 9 punitive discharge cases. Identification of the 4 remaining cases would require manual search of all separations since September 1945, which is precluded within the time available.

FRANKLIN L. ORTH,
Deputy Assistant Secretary of the Army, Department of the Army
(FOR HUGH M. MILTON II,
Assistant Secretary of the Army).

UNDESIRABLE DISCHARGES

(a) Unfit:

(1) September 26, 1956: An 18-year-old trainee. Habitual shirker.

(2) July 9, 1956: A 19-year-old trainee. Undesirable habits and traits. Special court-martial, article 86 (a. w. o. l.) and 134 (breach of restriction). Sentence: Forfeiture $30 per month for 5 months. Confinement: Five months, sentence remitted after 3 months.

(3) September 14, 1956: An 18-year-old trainee. Undesirable habits and traits.

(4) November 21, 1956: A 17-year-old trainee. Adjudicated youthful offender.

(5) August 8, 1956: An 18-year-old trainee. Homosexual. Summary court-martial, article 92 (failure to obey lawful order). Sentence: Forfeiture $50. Confinement: 30 days.

(6) November 16, 1956: An 18-year-old trainee. Undesirable habits and traits. Summary court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $30 per month for 6 months. Confinement: Six months.

(7) November 26, 1956: An 18-year-old trainee. Undesirable habits and traits. Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $55 per month for 6 months. Confinement: Six months (served 3 months).

(8) August 29, 1956: A 19-year-old trainee. Undesirable habits and traits. Summary court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $33. Confinement: One month (suspended). Summary court-martial, article 86 (a. w. o. l.) and 91 (disobedience to orders). Sentence: Forfeiture $33. Confinement: None (30 days hard labor). Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $52 per month for 6 months. Confinement: Six months (served 45 days).

(9) July 20, 1956: A 17-year-old trainee. Undesirable habits and traits. Summary court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $30. One month hard labor without confinement. Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $25 per month for 6 months. Confinement: Three months (suspended) and 3 months hard labor without confinement. Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $52 per month for 6 months. Confinement: Six months (served 16 days, sentence remitted).

(10) November 29, 1956: A 17-year-old trainee. Undesirable habits and traits. Summary court-martial, article 134 (breach of restriction). Sentence: Forfeiture $30. Confinement: 30 days.

(11) November 14, 1956: A 17-year-old trainee. Undesirable habits and traits. Summary court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $50. Confinement: 20 days restriction. Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $50 per month for 2 months. Confinement: Two months.

(12) July 20, 1956: A 19-year-old trainee. Undesirable habits and traits. Special court-martial, article 86 (a. w. o. l.) Sentence: Forfeiture $33 per month for 6 months. Confinement: Six months.

(13) December 21, 1956: A 19-year-old trainee. Undesirable habits and traits. Special court-martial, article 86 (a. w. o. l.). Sentence: Forfeiture $50. Confinement: Thirty days (served 1 month). Summary court-martial, article 86 (a. w. o. l.). Sentence: Twenty-two days hard labor without confinement and 30 days restriction to post. Special court-martial, article 86 (a. w. o. l.) and 134 (breach of restriction). Sentence: Forfeiture $50 per month for 5 months. Confinement: Four months (served 3 months).

(14) December 28, 1956: A 17-year-old trainee. Homosexual.

(b) Misconduct:

(1) October 12, 1956: A 17-year-old trainee. Misconduct. Special court-martial, article 128 (assault). Sentence: Forfeiture $50 per month for 6 months. Confinement: Six months (served 1 month, sentence remitted).

(2) December 10, 1956: An 18-year-old trainee. Conviction by civil authorities.

(3) December 28, 1956: A 19-year-old trainee. Conviction by civil authorities.

(4) July 31, 1956: A 19-year-old trainee. Homosexual.

(5) December 4, 1956: A 17-year-old trainee. Fraudulent entry (concealed prior medical discharge from USMC).

DISCHARGES OF 6-MONTH TRAINEES UNDER CONDITIONS LESS THAN HONORABLE

(a) Dishonorable discharges:

(1) July 12, 1956: A 17-year-old trainee. Dishonorable discharge, total forfeitures, confinement at hard labor 3 years for 2 specifications of a. w. o. l., larceny of auto, and breaking restriction; sentence cut by convening authority to dishonorable discharge, total forfeitures, and confinement at hard labor 2 years; Board of Review affirmed.

(2) May 15, 1956: A 17-year-old trainee. Sentenced to dishonorable discharge, total forfeitures, confinement at hard labor 5 years for larceny and housebreaking; one previous a. w. o. l. conviction; convening authority cut sentence to dishonorable discharge, total forfeitures, confinement at hard labor 6 months; Board of Review affirmed.

(3) August 13, 1956: A 17-year-old trainee. Sentenced to dishonorable discharge, total forfeitures, confinement at hard labor 1 year for sodomy; one previous conviction of disrespect to noncommissioned officer; sentence approved by convening authority and Board of Review.

(4) December 6, 1956: A 17-year-old trainee. Sentenced to dishonorable discharge, total forfeitures, confinement at hard labor 2½ years for a. w. o. l. and larceny convening authority cut sentence to dishonorable discharge, total forfeitures, confinement at hard labor 1 year; Board of Review affirmed.

(5) April 7, 1956: A 17-year-old trainee. Sentenced to dishonorable discharge, total forfeitures, confinement at hard labor 1 year for larceny, breaking restriction, and a. w. o. l.; convening authority and Board of Review approved.

(6) April 6, 1956: An 18-year-old trainee. Sentenced to dishonorable discharge, total forfeitures, confinement at hard labor 1 year for escape from confinement, larceny, and wrongful appropriation of motor vehicle; previous convictions for a. w. o. l. and leaving post without authority; convening authority and Board of Review approved.

(b) Bad conduct discharges:

(1) August 27, 1956: A 19-year-old trainee. Sentenced to bad conduct discharge, total forfeitures, confinement at hard labor 1 year for wrongfully using provoking words and communicating a threat to injure; sentence approved by convening authority and Board of Review.

(2) September 11, 1956: A 17-year-old trainee. Sentenced to bad conduct discharge, total forfeitures, confinement at hard labor 1 year for larceny; convening authority reduced sentence to bad conduct discharge, total forfeitures, confinement at hard labor 9 months; Board of Review affirmed.

(3) August 10, 1956: An 18-year-old trainee. Sentenced to bad conduct discharge, total forfeitures, confinement at hard labor 1 year for larceny; sentence approved by convening authority and Board of Review.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., June 1, 1957.

Memorandum for the Assistant Secretary of Defense (M. P. and R.):

Subject: Discharge of certain 6-month trainees under conditions less than honorable.

Reference: (a) AstSecDef (M. P. and R.) memo for AstSecNav (P. and R. F.) same subject, of May 10, 1957.

1. Reference (a) requested additional information concerning 6-month trainee discharges under conditions less than honorable for the period August 9, 1955 through December 31, 1956.

2. The following information is furnished concerning 2 undesirable and 2 bad conduct discharges occurring in the Marine Corps during the period mentioned in paragraph 1.

(a) Undesirable discharge:

(1) June 22, 1956: A 17-year-old trainee, discharged by reason of misconduct resulting from conviction by civil authorities for violation of T18USC2312 (interstate transportation of a stolen motor vehicle) and 5031 (juvenile delinquency). On May 8, 1956, the man was sentenced to 18 months' imprisonment by the United States District Court for the Western District of North Carolina, Charlotte Division.

(2) November 2, 1956: An 18-year-old trainee discharged by reason of misconduct for fraudulent enlistment. The trainee failed to reveal five prior arrests and a probationary sentence when he was enlisted. The five arrests included housebreaking and larceny and larceny of an automobile.

(b) Bad conduct discharge:

(1) July 3, 1956: A 17-year-old trainee convicted by a special court martial for violation of Uniform Code of Military Justice Article 121 (larceny) and Article 81 (conspiracy). In addition to the bad conduct discharge, the trainee was sentenced to confinement at hard labor for 3 months and a forfeiture of $32 per month for 3 months.

(2) July 31, 1956: An 18-year-old trainee convicted by a special court martial for violation of the Uniform Code of Military Justice Article 121 (larceny). In addition to the bad conduct discharge, the trainee was sentenced to confinement at hard labor for 4 months and a forfeiture of $32 per month for 4 months.

W. B. FRANKE,
Under Secretary of the Navy.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., May 13, 1957.

Hon. CLYDE DOYLE,
House of Representatives.

DEAR MR. DOYLE: This is in further reply to your letters of March 6 and April 22 requesting certain data from the Military Services in connection with H. R. 1108. As you will recall, your original request was modified, as a result of conversation between you and Capt. Carleton Adams, so as to cover those data regarding undesirable and bad conduct discharges which could be furnished in time to be useful in your preliminary public study of this bill.

We are looking forward to this study for the mutual benefit of the Congress and the Department of Defense, and hope that the following information will be helpful:

(a) Average age of individuals involved at time of discharge:

	1950	1955
Army	23.1	24.3
Navy	21.8	23.4
Air Force	23.3	22.6
Marine Corps	22.3	22.0

(b) Average length of service of the individual discharged:

	1950	1955
Army	2.7	3.2
Navy	3.7	5.3
Air Force	1.7	1.9
Marine Corps	3.5	3.2

(c) Average age of individual upon enlistment or induction:

	1950	1955
Army	20.4	21.1
Navy	18.1	18.1
Air Force	21.6	20.7
Marine Corps	19.3	19.3

(d) Distribution by type and reason for discharge:

	Army	Navy	Marine Corps	Air Force	Department of Defense
1950					
Undesirable	360	70	53	201	684
Unfitness (percent)	(72)	(84)	(30)	(64)	(68)
Misconduct (percent)	(28)	(16)	(70)	(36)	(32)
Bad conduct discharge	40	130	47	99	316
Total	400	200	100	300	1,000
1955					
Undesirable	399	118	54	198	769
Unfitness (percent)	(76)	(83)	(55)	(61)	(72)
Misconduct (percent)	(24)	(17)	(45)	(39)	(28)
Bad conduct discharge	1	82	46	102	231
Total	400	200	100	300	1,000

(e) Number of individuals who have been enlisted in the armed services who were previously discharged from the same branch of the armed services with other than honorable discharge:

For calendar year 1956

Army	4
Navy	7
Air Force	1
Marine Corps	7

The above figures are based on a sample of 1,000 cases for each of the years selected. Distribution of the 1,000 among the 4 services was made on the basis of their relative strengths. (Army, 40 percent; Navy, 20 percent; Air Force, 30 percent; Marine Corps, 10 percent.) Approximately these same proportions, incidentally, are also reflected in the total number of bad-conduct discharges and undesirable discharges issued in the selected years.

A negative answer is given to your question, "How many exceptions to policy have been made to permit enlistment of an individual in a branch of the service other than the one from which he was previously discharged with less than honorable discharge?"

I trust that this information satisfies your request. I will be most happy to be of any further assistance that you may require in your study.

Sincerely yours,

STEPHEN S. JACKSON,
Deputy Assistant Secretary.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, D. C., June 18, 1957.

Memorandum for members of the Special Subcommittee on Military Discharges:

The original bill, H. R. 1108, amended the Legislative Reorganization Act of 1946 (dealing with Boards for the Correction of Military or Naval Records), as well as the Servicemen's Readjustment Act of 1944 (dealing with boards of review). H. R. 1108, as originally introduced, permitted individuals heretofore or hereafter discharged or dismissed from any of the armed services under conditions other than honorable, to have their discharges changed to discharges under honorable conditions if they could establish to the satisfaction of the board, by oral or written evidence, that they had rehabilitated themselves and that their character for not less than 3 years following discharge had been good. A person who had a discharge changed under this provision would not be entitled to any benefits under laws administered by the United States unless otherwise entitled to them under the original discharge.

The original H. R. 1108 applied to both the boards of review and the correction boards, but a discharge issued pursuant to a general court-martial was not reviewable.

The objection of the military departments to H. R. 1108, as originally introduced, is that under the terms of H. R. 1108 the board is required to grant a discharge under honorable conditions if a person proves conclusively that he has rehabilitated himself and that his conduct has been good for 3 years following discharge. The only question of decision for the board is whether or not the period of time of good conduct is a reasonable period of time, though this gives the board considerable leeway in view of the fact that the board could delay changing a discharge indefinitely if in its opinion a reasonable period of time had not elapsed.

Several changes were made in the committee print. The first fundamental change is that the committee print allows the boards of review and the correction boards to review all discharges and dismissals including those issued pursuant to a general court martial.

In addition, the committee print sets up criteria for the correction boards for all future reviews of discharges, including those that will be changed to honorable or under honorable conditions. If an applicant, however, files for review under subsection (g) (starting on page 7 of the committee print) and presents evidence of his post-service conduct, the board may then grant a general discharge, limited, which carries with it no benefits. This same concept is applicable to the boards of review established under the Servicemen's Readjustment Act. A new subsection (b), starting on page 12 of the committee print, gives the Board of Review the same authority.

The basic difference between the original bill and the subcommittee print is that the original bill provided for a discharge under honorable conditions based solely upon post-service conduct. The committee print grants an individual a general discharge, limited, based not only on the conditions that prevailed at the time of the original discharge, the individual's age, the moral turpitude involved, et cetera, but also directs the board to take into consideration post-service conduct.

Thus, the boards under the committee print retain complete jurisdiction over the cases and will merely be required to give consideration to post-service conduct.

This constitutes the real difference between the committee print and the original bill, except for the additional fact that the committee print authorizes reviews of general courts-martial.

J. R. BLANDFORD,
Counsel.

Now it is my pleasure to yield to the distinguished gentleman from Texas [Mr. KILDAY] 4 minutes.

Mr. KILDAY. Mr. Speaker, this is a most difficult situation and one that

needs some action taken to correct it. Of course, the situation is not improved any by the demand position of the military department that nothing be done. As the gentleman from California [Mr. DOYLE] said, there are hundreds of thousands of young men in the Nation who have been released from military service with discharges other than honorable. We should remember that hundreds of thousands of those have been issued by purely administrative action of some military officer or group of military officers, without any judicial proceedings of any kind to sustain it. Many others were issued during the time of war when it was urgent to get troops into combat shape to be sent overseas, when a little sympathy should have been given to those who would not cooperate and make themselves soldiers to participate in that act. A system should be provided under which those cases can be reviewed and some relief given from the opprobrium which is attached to the discharges which they now have.

If a man is convicted of a felony in a Federal court in the United States and serves his time, and comes out and behaves himself, he can file an application for pardon and a restoration of citizenship; and it is almost the common routine practice that when the application comes in and the report of the FBI indicates that the man has properly demeaned himself for approximately the period of time after the termination of his sentence as constituted his sentence, he is granted a pardon and his rights of citizenship are restored. That is in a case where there has been indictment by a civil grand jury, trial in a criminal court, sentence, and imprisonment; still, if a man serves his time, properly demeans himself afterward, there is relief as far as properly can be given and his citizenship is restored.

But in these cases, hundreds of thousands, there is no effective means of accomplishing that end.

This bill is the best the committee has been able to report out based on its study. I hope the rules will be suspended and the bill passed.

Mr. DEVEREUX. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I find it very difficult to oppose my long and very good friend, the gentleman from California [Mr. DOYLE], and I am heartily in sympathy with what he is trying to do through the legislation which he proposes; but I would like to point out that the legislation which he originally introduced was not in any way the legislation which is now before us.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS). The Chair will count. [After counting.] One hundred and six Members are present, not a quorum.

Mr. DOYLE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 172]

Abbitt	Frelinghuysen	Reed
Anfuso	Gregory	Rivers
Bailey	Hillings	Santangelo
Baker	Holtzman	St. George
Barden	Hosmer	Saund
Bass, N. H.	Kearney	Scott, Pa.
Beamer	Kearns	Smith, Miss.
Bentley	Kilburn	Smith, Wis.
Betts	Kluczynski	Spence
Blatnik	Knutson	Steed
Blitch	Krueger	Taylor
Boland	Landrum	Teague, Tex.
Boykin	Lennon	Thompson, La.
Buckley	McConnell	Utt
Burdick	Machrowicz	Van Pelt
Carnahan	Mack, Ill.	Vinson
Celler	Magnuson	Vursell
Chiperfield	Mason	Walter
Clark	O'Konski	Watts
Coudert	O'Neill	Wharton
Davis, Ga.	Osmers	Whitener
Dawson, Ill.	Powell	Wilson, Calif.
Diggs	Preston	Withrow
Eberharter	Prouty	
Engle	Reece, Tenn.	

The SPEAKER. On this rollcall 357 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING SECTION 1552, TITLE 10, UNITED STATES CODE, AND SECTION 301 OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

The SPEAKER. The gentleman from California [Mr. ROOSEVELT] is recognized.

Mr. ROOSEVELT. Mr. Speaker, the fundamental purposes of the authors of this bill are, of course, sound and just, and all of us want to help those who would like to have their records corrected, but I do not think anybody in this House wants to pass under suspension of the rules a bill which in my humble judgment is a booby trap and one which could do incalculable harm and which, incidentally, I think, could only add confusion to confusion.

Let me be specific. On page 2 of the bill you will find that one of the boards concerned is specifically set up to correct an error or remove an injustice. Now there is added to the power of this board the right to give this new kind of discharge called a general discharge, limited. If that is given, it takes away all of the veteran's benefits of an individual who might otherwise have received an honorable discharge and with it his veteran's benefit rights. If you were on that board, and you were perhaps inclined to have some doubt about where justice, lay, you could duck the issue via this new general discharge, limited. I foresee many who would otherwise get a deserved correction receiving this meaningless correction if for no other reason than just to save the Government from having to pay the veteran his just benefits.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. HUDDLESTON. I would like to advise the gentleman from California with reference to his statement that the "General Discharge, Limited" to exservicemen and that any benefits that a veteran has would be taken away from him under this bill, the veteran will receive no additional benefits than he would have been entitled to before nor will any benefits be taken away from him by the awarding of this particular type of discharge.

Mr. ROOSEVELT. But, I think the gentleman will agree that if he gets this new kind of discharge, he would not get the benefits that he might have gotten if he had received an honorable discharge, as a result of this correction.

Mr. HUDDLESTON. That is correct.

Mr. ROOSEVELT. Yes, we think, and it is very obvious to me, that what the board would do in any borderline case is to give this new discharge and then the veteran would not get the justice to which he is entitled. A very simple amendment could be made to this bill which simply states that in order to get this discharge, the veteran should ask for that type of discharge and that would save his rights and then it would overcome that sort of situation. But under this rule, no Member except the author of the bill, the mover of this resolution, can offer any amendment of any kind. Therefore, the bill has to be taken exactly as it is with all of the further booby traps, which I wish I had the time to talk about.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. PRICE. I want to join with the gentleman from California in expressing concern about what this bill might possibly do. I was among those who were very enthusiastic about the original bill, which the gentleman from California introduced in the House. Many Members joined in sponsoring that bill. But I do not feel that the committee has come out with the same objective that the original bill had when it was dropped in the hopper. My fear here is that there will be a tendency on the part of these boards not to delve sufficiently into individual cases to bring about corrections in these discharges less than honorable, but that they will just automatically begin to issue this new type of discharge and, as a result, none of these cases will be satisfactorily cleared up.

Mr. ROOSEVELT. The gentleman who is a member of the committee has stated exactly what I believe is the case.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. MULTER. The fact of the matter is that while many people may have the idea that this sets up a board of pardons, it does no such thing. It sets up no new board and does not give a man a pardon if he is entitled to one; am I not right?

Mr. ROOSEVELT. The gentleman is absolutely correct. I am simply pointing out that we are not against passage of this kind of bill, but we think the committee should go to the Committee on Rules and obtain a rule and come back to the House and let those of us who want a clear cut piece of legislation, which will not do injustice to any veteran, have an opportunity to offer amendments on the floor of the House.

Mr. PRICE. Mr. Speaker, will the gentleman yield further.

Mr. ROOSEVELT. I yield.

Mr. PRICE. It has been stated that this bill was almost unanimously approved by the Committee on Armed Services. By a rollcall vote that may be true. However, it was considered about 10 minutes in full committee and any effort to have it satisfactorily explained was rapped down.

Mr. ROOSEVELT. I thank the gentleman for that interesting information. My time is about up but I would refer my colleagues to the fuller views expressed by me in the RECORD of Tuesday, July 30.

The SPEAKER. The time of the gentleman has expired.

Mr. DEVEREUX. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Speaker, I was a member of this subcommittee which was especially appointed to consider this bill. We met, I suppose, a score of times and we went into this matter very thoroughly. Frankly, it is not as strong a bill as I would like to have seen. I have been interested in this matter for many years from the time that I was in the service and continuing until the present time. I have appeared before these boards on these discharge matters. Yet, we felt we could not give a person who had a bad discharge an honorable discharge. Two boards are set up with reference to this matter—one civilian and one military. All this bill does, and I realize it does not go very far, but it is, in my opinion, very definitely a step in the right direction—all this bill does is to give these boards the right to give a different discharge. It does not give any veterans' rights, that he does not already have.

The gentleman from California [Mr. ROOSEVELT] appeared before our committee and he did make some suggestions regarding this bill, although at the time he praised this bill very highly. It may be necessary later, if we pass this bill and see how it operates, to see whether the various military services or boards of review act in an honest and sincere manner. I say that advisedly, because I have been critical of these boards in the past. If they do not act on these matters in the spirit in which the Congress intended, I will certainly back a much stronger bill. I hope further, if I am a member of the subcommittee at next session, to take up any amendments to this bill and go into some of the defects that have been mentioned. It was very difficult to get the cooperation of the Defense Department in this matter, in any way to help these ex-servicemen with undesirable discharges.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield.

Mr. MULTER. Does not the gentleman think it would be better to bring this bill before the House under an open rule and let us all be heard? We are not going to get the Defense Department to go along with you for any change.

Mr. BRAY. But since we have been working on this bill the armed services have shown a remarkable change of attitude. I think if this bill is passed at this time it will be a distinct step in the right direction to do something worth while. I am a member of the Armed Services Committee, and I assure you I will be happy to give careful consideration to any bill on this subject that is referred to us. It is not as strong a bill as I would like, but if this bill is turned down the attitude will be that we are not interested in protecting certain rights of these men.

Mr. MULTER. None of us is asking that the bill be turned down. All we are asking is that you bring it in under a rule and let us try to improve it.

Mr. BRAY. It will have no opportunity this late in the session.

Mr. MULTER. We can do it in January.

Mr. BRAY. All right. There is no reason why an amendment to this cannot be made at that time. I have fought bitterly all the way through with the Defense Department to get any understanding on this matter. Frankly, I was very happy when the gentleman from California [Mr. ROOSEVELT] gave his testimony before the committee. I do not have time to go into the matters he discussed at that time. However, the gentleman knows the matters to which I refer. What I am trying to say is that to turn down this bill at this time would show a lack of interest on the part of the House in these veterans and would encourage the armed services to pay no attention to the desire of Congress. I will back any reasonable bill to take care of the changes which I know the gentleman from California is interested in.

Mr. ROOSEVELT. May I say to the gentleman that I have, which I doubt that very many Members have, letters from veterans' organizations in my district, asking that this bill be more carefully considered than being rushed through under suspension of the rules. I agree with the gentleman we should do more, but we certainly should not do something which is undoubtedly going to make this muddled situation worse.

Mr. BRAY. No. I do not think it will make a muddled situation worse. It will be a distinct help. It is a step in the right direction. I believe if the gentleman from California had served on this committee and saw how hard we did work to bring out this one step in the right direction, he would have backed the bill.

The SPEAKER. The time of the gentleman from Indiana [Mr. BRAY] has expired.

Mr. DOYLE. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, this, of course, is a subject which is very important and very extensive and today touches the lives of many American boys who have served their country with honor and true patriotism. I doubt if very many Members of the House who are present here today recall the difficulty we faced in World War II with respect to the problem of discharges. The old Military Affairs Committee, of which I was a member, during World War II made quite an extensive investigation and study of discharges, beginning in 1940. We were advised at that time that this was no time to make a study of this important matter; but I felt, as did many other members of the committee, that we were asking many American boys to serve their country and were imposing upon them a compulsory military duty, and that they should be guaranteed fair treatment and justice under our military system, as is the case in our civilian personnel.

I was chairman of a subcommittee which made a very extensive study at many posts throughout the United States and also spent some time in England, where there had been much complaint in the matter of types of discharges being issued. The old Military Code of Justice provided that a commanding officer at any post could issue almost any type of discharge he preferred, and much abuse was evident at practically every post that we investigated. We finally prevailed upon the War Department to set up a review board; and, as I recall, there were some 86,000 discharges brought before this board. After the review, some 36,000 corrections were made. Immediately the members of the subcommittee and I voiced the opinion that something was wrong with the military justice system, in the Departments of the Army, Navy, and other forces. I believe that the hearings and the facts developed will verify my statement here today. The Military Affairs Committee completed quite an extensive study during World War II of this subject and out of that came later the development and enactment into law of the present Military Code of Justice Act, which is a great improvement over the old Military Code of Justice, which had not been revised, as I recall, in some 50 years or more.

This bill before you today does not correct all of the problems and probably does not go as far as some of you Members would like to go. But it is my definite opinion, based on past experience, that it is a step in the right direction. If you have read the report on the bill, you will see that the Department of Defense is studying this problem. That was the obstacle that I faced during World War II. They were studying it then and did not agree that any action should be taken. I believe that if we had set up a sensible and workable discharge system in the early days of World War II, we would not have to be here today debating this problem. It is always difficult to convince people, especially a department of the Government, that a change is necessary. But I still believe that the Defense Department made one of its gravest blunders in the beginning of World War II when it did not adopt a policy that discharges should be either honorable or dishonorable. I have never encountered as much opposition to any study of a problem as I did in trying to improve the Military Code of Justice, using my 19 years of serving in the Congress. But finally, out of it all came what I believe to be a good bill under which we operate today—a bill which I insisted at all times should be

in line with our own civil courts procedure, and I do not believe that today anybody in the Armed Forces believes that it is not a far advanced improvement over our old system where the commanding officer could act as judge, jury, and prosecutor. So here today we are faced with the same situation. The Department of Defense is still studying the problem and cannot make up its mind. Human beings cannot have their lives jeopardized by such procedure, nor should they. It is up to Congress to correct such a situation, and I hope the Congress today will adopt this bill; at least it will go far along the way toward correcting the present situation with which loyal and patriotic boys find themselves faced.

Mr. DOYLE. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I think it is important that we pass this legislation at this time. It does not go as far as most of us would like, but it is a step we need to take at this time; and I personally believe that unless we do something pretty soon we are going to see the problem aggravated.

I am sure most of you, like myself, have had a number of these cases of administrative discharges where serious hardships have been imposed and we have not been able to do a blessed thing about it. I would like to give you one case as an illustration of one aggravated situation that came to my attention. A young man—a constituent of mine—enlisted in the Army, falsified his age in order to get in, saying that he was 18 when he was only 17. He enlisted in the Army. The Army found out about it pretty soon and kicked him out on an administrative discharge, an undesirable discharge, because he had falsified his application to start with.

A few months later he wanted to correct that, so he applied for enlistment in the Air Force. He changed his first name in order to get in hoping after a creditable period of enlistment, he could get an honorable discharge. He did not want to go through the rest of his life with this undesirable discharge which barred him from employment. He wanted to serve his country. He succeeded in enlisting in the Air Force but after about a year the Air Force found out that he had made a false statement in regard to his name. Again administrative action followed and now he has two undesirable discharges.

It is important, I think, that we try to do something to make it possible for young men in this situation to get relief and not go through life with such a stigma hanging over them. It is time we did something; we should take this action today. Join me in voting for this bill.

Mr. DOYLE. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, it happens that I am familiar with this legislation, because many years ago I was the first Member of Congress ever to introduce legislation along this line. I think I can justifiably lay claim to being the first Member to have introduced such legislation. In those days we had the Department of the Army, the Department of the Navy, and the Department of the Air Force. The bill, after some years, became law, although not as I originally introduced it.

Why did I introduce that legislation? Just like everyone of us, I got 10, 20, or 40 letters each year from young men who had been discharged, young men asking for a correction of their records. I knew that the committee would not report a bill out because the policy was not to approve legislation of that kind until many, many years had elapsed after a war, and the President, regardless of what party, would not sign such a bill. Oftentimes 30 to 35 years after a war was over would elapse before a correction took place.

I would write back to everyone who wrote me in reference to this matter: I will introduce a bill for you, but I cannot do anything. The committee will not report it out. It is not the policy of the administration to sign such bills at this time, and it may be some years before the policy is changed.

I was honest, I was frank, but I could not explain it to someone else. Introduce a bill, and you cannot do any more. I said that I would try to get legislation through to create a board, and in my original bill I provided for the consideration of the good character of a man after he was discharged. It has not gone as far as I would like to see it go, but this bill is another step in that direction. Further legislation might be necessary.

Mr. Speaker, even those who oppose considering this under suspension of the rules are in favor of the objective of the legislation. There is no one who says they are opposed to it. They ask, What about a rule? Well, in the closing days of a session you are not going to get a rule to consider or to bring this legislation up. Everyone knows that. That is why it is up under suspension of the rules.

This represents progress. Every man who has other than an honorable discharge has a punishment which will follow him to the grave. This will enable some of them to get some kind of humane consideration. I, therefore, hope the rules will be suspended and this bill passed.

Mr. DEVEREUX. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, H. R. 8772 goes to the heart of a problem which has troubled me and a number of my constituents for many years. By permitting our veterans—and particularly this affects the younger men—to wipe the stigma of a less-than-honorable discharge off their records, we can give these men a big boost in their adjustment to civilian life.

This measure will go a long way toward helping these young men who, through some minor inadvertency during their service years, incurred a black mark which can hamper greatly their finding civilian jobs. I have received letters from constituents who have experienced great hardships in obtaining employment because employers have magnified these minor offenses into reasons for refusing to hire.

It seems to me to be in keeping with the American way of doing things that we should allow these young men, if they prove a good adjustment to civilian life, to erase these black marks which can prove such a detriment to their civilian activities.

Although H. R. 8772 may not contain precisely all the provisions some of us might like to see in this legislation, it certainly will help a lot of deserving veterans to readjust to civilian life. It contains adequate safeguards to protect against abuse of the privilege offered. It deserves wide support of the membership.

Mr. DEVEREUX. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, I think the distinguished majority leader very aptly pointed out that those who are today opposing this suspension of rules are not opposed to the purpose of this bill. I assume that their purpose in wanting to request a rule is so that they may offer amendments.

My distinguished colleague from California [Mr. ROOSEVELT] caused the amendments he favors to be circulated to the offices of subcommittee members.

First of all, before I discuss the proposed amendments, I would like to address myself to his remark that this "general discharge—limited" might deprive veterans of certain benefits who would otherwise be entitled to them. That is not true, because this bill would only amount to an addition to a discharge which did not entitle that man to veteran's benefits in the first place. In no case could this bill deprive a veteran of benefits to which he was otherwise entitled.

Now let us consider the amendments which Mr. ROOSEVELT wishes to propose. One of them is that all involuntary discharges should be by court-martial only. Can you imagine how little time would be left to fight a war if every discharge, including an administrative discharge, had to be by court-martial? Under the gentleman's proposal an admitted user of narcotics, for example, could not be discharged from the service. In the court-martial, required by the gentleman's proposal, his own admission could not be used as evidence against him.

Another amendment which I understand he wanted to propose was that all preservice conduct should not be considered in a court-martial case. Suppose you have the case of a Communist in the armed services and you required that he be discharged by court-martial, and you cannot consider any preservice conduct in that court-martial. You cannot consider the fact that he was a Communist, so you go on with a Communist or a former Communist in the armed services of the United States.

Now, let us look at what this bill does not do. It does not require the military to do a single thing that they are not doing today. Every representative of all of the services admitted that in the hearings. It does not even require the board

to consider a case. It only tells them that if you do consider it, you shall take into account the post-service conduct of the individual involved.

This is not a substitute for the previous discharge. It is dated as of the date of issuance. It does not change the original discharge at all. All it does is give the serviceman a piece of paper which certifies to the world and his potential employers that his conduct has been exemplary since his discharge.

Today we have cases where admitted homosexuals and admitted users of narcotic drugs are discharged by administrative discharge, and they are placed in exactly the same category in a prospective employer's eyes as would be the young kid just out of high school who got a little bit inebriated and went over the hill 5 times in a row.

I submit to you that there is a difference between such people and that it is wrong for them to have to go through life lumped in the same category with the admitted homosexual and the admitted user of narcotic drugs. Now, perhaps this bill should go further, and undoubtedly it should, but we walk before we run. Everyone says this is a step in the right direction. Let us take it.

Mr. DEVEREUX. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, as a member of the Committee on Armed Services, I did not sit on the subcommittee, but I heard the presentation before the full committee and came to the conclusion, as did the majority of our committee, that this is a step in the right direction. The distinguished majority leader covered the ground very thoroughly. The gentleman from California made a statement here in which both sides of the aisle should concur. We are trying to do something here that will be of benefit to the unfortunate serviceman who did not perchance receive the type of discharge to which he might be entitled. We must always bear in mind that whatever type of discharge a serviceman is given will definitely affect him for all time. The type of discharge a serviceman receives is a very serious matter and under no circumstances should be treated lightly.

This bill may not be the answer to the problem. It may not embody what all of us want. Nonetheless, it is an attempt in the right direction for the protection of our servicemen.

Mr. DOYLE. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD and include related matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANE. Mr. Speaker, we readily agree that discipline is essential to the maintenance of an effective military force. When a man in uniform violates military law he should be punished.

We do question, however, the rigid policy of the Armed Forces in returning such a man to civilian life with a discharge other than honorable, and denying him the opportunity to clear his name by subsequent good behavior.

This runs counter to all our concepts of justice.

It closes the door to rehabilitation.

It hurts a man's chances to secure employment, wherever he turns, and for the whole of his life.

It drives some veterans to discouragement, despair, and crime, for it leaves them no alternative.

This inexorable policy has the effect of continuing military punishment throughout the veteran's civilian life.

When he looks for a job, he is asked to produce his discharge from military service. There is nothing on the undesirable discharge to differentiate among major and minor offenses. The employer has no way of knowing whether the veteran committed a relatively minor offense while in military service, or committed such a serious crime that he could not possibly take a chance on hiring him. Although otherwise satisfied as to the veteran's qualifications, he is scared off by this one vague factor alone, and rejects the applicant. Wherever he seeks employment, the veteran who committed a misdemeanor while in military service, suffers from this ignorance and this prejudice. With nothing on the discharge to show the nature of the offense, the employer generally imagines it to be the worst.

In any large group of people, in or out of military service, there is always a small, hard core of criminals. In civilian life, we are most careful to separate those who commit misdemeanors, from those who commit crimes.

The military lump them all together, insofar as the public understanding is concerned. This is a serious injustice toward those who have established an honorable reputation in civilian life, but who are given no sympathetic hearing in their efforts to remove the cloud from their names.

The purpose of H. R. 8772 is not to wipe the slate clean, but to make certain that postservice conduct is taken into consideration when discharges of individuals who have been separated from service are being reviewed.

All we ask is for fair play.

These men would still pay for their offenses, by the denial to them of the benefits that are granted to those who hold honorable discharges.

As the report of the Committee on Armed Services states:

> The committee is well aware of the strenuous efforts that have recently been instituted by the military services to rehabilitate servicemen involved in misconduct cases. The Air Force, in particular, with its so-called Amarillo plan, which envisions a rehabilitation program without a prison environment, has been highly successful. This program should not only be continued but should be expanded. * * * On the other hand, the committee is seriously concerned about the many thousands of individuals who must go through life with a dishonorable, bad-conduct, or undesirable discharge. Many of these individuals find it difficult to obtain employment because of the nature of their discharges. * * * There should be some method by which an individual who has successfully rehabilitated himself in civilian life may at least be awarded a type of discharge which carries with it a connotation more acceptable to the general public than that of undesirable, bad conduct, or dishonorable.

We believe that the normal punishment that might have been adjudged had the act or incident been committed in civilian life, should guide the review boards, as well as the age of the individual, the conditions that prevailed at the time, and the moral turpitude, if any, involved.

This bill will authorize the award of a general discharge—limited, in those cases where the individual requesting a review of his discharge or dismissal, introduces evidence of not less than 3 years of postservice conduct in justification of his request for a review of his discharge or dismissal. The same criteria will be applicable in these cases as in all other cases reviewed by the boards. But under the proposed legislation, the boards will be required to take into consideration, as a factor, postservice conduct indicating that the individual has rehabilitated himself, that his character is good, and that has conduct, activities, and habits since discharge have been exemplary for a period of not less than 3 years following discharge.

This bill provides relief in many cases where the veteran has clearly rehabilitated himself, and has earned the right to have the onus of "dishonorable," "bad conduct," or "undesirable" removed from his discharge.

He is not placed in the same status as a man with an honorable discharge.

But the unfair burden of a lifetime stigma is removed from his shoulders, and his rights as a citizen are not prejudiced.

Previously, he was branded for life. Now he is given an opportunity where the facts warrant it, to show to society a new type of discharge which reflects his exemplary conduct following separation.

All of the hundreds of thousands of men and women, who have received discharges less than honorable, are not criminals.

Perhaps most of them are deserving of the opportunity to remove the stain from their discharge papers.

The support for this bill indicates the widespread belief that postservice good conduct should give a veteran the chance to clear his name and face his family, neighbors, friends, and prospective employer without shame.

Mr. ASHLEY. Mr. Speaker, I rise in support of H. R. 8772 which provides that the Board for the Correction of Military or Naval Records and the boards of review, discharges and dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal from service in determining whether or not to correct such discharges and dismissals.

I am aware, Mr. Speaker, that the Department of Defense opposes this legislation because of their fear that it might have a detrimental effect upon the maintenance of discipline in our Armed Forces today.

But I give greater weight, Mr. Speaker, to the fact that this legislation authorizes the Boards which I have just mentioned to merely take into consideration postservice conduct when reviewing the discharges of individuals who have been separated from the service.

The bill, as I understand it, does not require any Board to grant a discharge under honorable conditions or to change a discharge solely on the basis of exemplary postservice conduct. It merely authorizes these Boards to treat postservice conduct as one of many factors in determining whether a different type of discharge or separation should be awarded.

We all know, Mr. Speaker, how difficult it is to get and keep a steady job and establish a reputable position in society if one has received an other-than-honorable discharge. We also know that human values and human behavior can change considerably from the years of adolescence and immaturity during which many of our youth fulfill their service obligations. To be sure, there are technical objections to this legislation, but its purpose has not yet been attacked nor, I think, can it be. It is for this reason, Mr. Speaker, and because the technical considerations can and will be taken care of, that I support the measure before us. While it does not achieve all of the purposes of the bill which I introduced on this subject, it takes a long and humane first step, and I therefore urge its adoption this afternoon.

Mr. BERRY. Mr. Speaker, I wish to commend the Armed Services Committee upon having favorably reported H. R. 8772, the provisions of which are similar to a bill introduced by me, H. R. 5455. The purpose is to correct a situation that has caused and will continue to cause, grievous injustice.

The bill authorizes existing boards whose duty it is to review discharges and dismissals to take into consideration in considering these reviews the postservice rehabilitation and exemplary conduct of applicants for review, and then if warranted, to issue a general discharge—limited. It authorizes, but does not require, the boards to issue such discharge in those cases where the board feels that the facts leading to the discharge have been offset by later good conduct and rehabilitation on the part of the ex-serviceman for the period of not less than 3 years following his separation.

The bill will benefit many thousands already discharged who have already lead exemplary lives over a period of more than 3 years from their discharge.

We all appreciate the fact that there must be in the armed services an effective discharge law in order to maintain discipline in the armed services, but we also know that there are many thousands of young men and women who got into difficulty, frequently in a thoughtless manner, and who are now condemned for a lifetime because of their act. What they did may have been undesirable and their conduct may have been bad, but many of them do not deserve a life sentence because of such conduct.

If a man is convicted of a felony in Federal court and serves his time and then comes out and is rehabilitated, he can file an application for pardon and restoration of his citizenship. In the armed services this is not possible. The only authority the services now have is a review of the discharge where errors or injustice are alleged. There is no provision for postservice rehabilitation. The bill simply gives the boards the right to review and pardon, if you please, a veteran who has been rehabilitated, a veteran who has exemplary postservice. It does not give any veterans' rights that the veteran does not now have.

It should be remembered that hundreds of thousands of less than honorable discharges have been issued not by court-martial, but by some military officer or group of military officers without any judicial proceedings of any kind to sustain them.

One instance that has come to my attention is a young man who left high school and entered the Navy when he was 16 by falsifying his age. His true age was known to the officer in command, because as they crossed the international date line on his 17th birthday the crew gave him a real birthday celebration. He served well and was cited a couple of times, but because he was only a boy and inclined to be a boy when off duty, neglected on 4 to 5 occasions to return after leave and was several days late. As punishment he was given an undesirable discharge about 3 months before he was eligible for release.

After getting out of the service, he has assumed the position of a man and has done a very commendable job of providing for his family and in taking part in community activities and so forth. I assisted in an effort to have his discharge changed. Under existing law it cannot be done. His advancement in life is blighted because as a boy he acted as a boy when his officers felt he should act as a grown man.

I am convinced that the normal punishment that might have been adjudged had the act or incident been committed in civil life, should guide the review boards, as well as the age of the individual, and the conditions that prevailed at the time, and that the board should be able to take into account, postservice life as an indication of service maladjustment, or service irresponsibility. Under this bill postservice conduct indicating that the individual has rehabilitated himself, that his character is good, and that his conduct, activities, and his habits since discharge have been exemplary for a period of not less than 3 years following such discharge, may be taken into consideration.

The bill provides relief in many occasions where the veteran has clearly rehabilitated himself and has earned a "pardon," so to speak, from the stigma of "dishonorable," "bad conduct," or "undesirable," removed from his status.

He is not placed in the same status as a man with an honorable discharge, but the stigma may be removed by proof of his future good conduct. He is in this legislation given an opportunity where the facts warrant, to show to society a new type of discharge which reflects not only service, but postservice conduct.

Mr. DOYLE. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Speaker, the gentleman from California [Mr. DOYLE] and his subcommittee worked hard and worked very conscientiously in bringing about this measure. They brought to us a bill that is a step forward, and I hope it passes this afternoon.

I rise at this point to tell you that I was chairman of the subcommmittee that worked for 4 or 5 months to build up the Uniform Code of Military Justice that we have at the present time. When we came to this particular provision, section 10 of the United States Code, we debated long and hard on it. We knew that something should be done in reference to these administrative discharges. I personally thought and still think that every man who receives other than an honorable discharge should have an opportunity of a hearing and a trial before he received anything but an honorable discharge. I did not have my way then, but this bill does come along now and gives these people who have other than an honorable discharge an opportunity for a hearing.

You say, "What does that mean? It gives these young men who do not have an honorable discharge an opportunity to correct that discharge and then to get a piece of paper which they can use and go out and try to get a job. You have had men come to your office and tell you that they could not get a job because they did not have an honorable discharge, and they asked you for help to correct the record. This particular bill will permit that to be done. Thousands upon thousands of these young men who have been in the service have been discharged upon the will and the caprice of some commanding officer, rightfully or wrongfully, and they will have an opportunity to go back for a hearing and get the discharge corrected to some extent so that they can then use that means of going out and getting a job. They can then go out and use that as a means of getting employment, getting a job.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. DEVEREUX. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I should like to congratulate the Committee on Armed Services for bringing this legislation to the House. Along with practically everybody in the House, I have received numerous letters from young men who, at an early age, spent a couple of years or more in the armed services, and for some misstep that they took inadvertently they came out with a dishonorable or administrative discharge. I think it is unfortunate for these young men to be saddled for life with a penalty of that kind, without the possibility of changing it, because it affects their future employment and affects the chances of their family, to have their wage earner without the same opportunity for employment as someone else. I am glad

that it has been recognized that there is a need for an opportunity to correct these discharges, which recognition has been given by the committee through this bill. I hope the bill will pass.

Mr. DEVEREUX. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Iowa. Mr. Speaker, as one who served as a trial judge advocate for some time during World War I and who also served at different times as counsel for the defense during World War I in general court-martial trials, I came out of the service with the firm belief that there should be just two kinds of discharges, honorable or dishonorable; nothing in between. My experiences brought me to that belief. However, today, as a result of experiences during World War II and testimony before our committee, I realize that that is not the fact. We do have discharges that are neither honorable nor dishonorable. We have before us a bill that will help a board correct some of those in-between discharges.

I should like at this moment to make reference to an experience I had, an actual experience, and I do this because of a remark of someone about narcotic addicts. We had two men who were admitted narcotics addicts. The question was whether to try them by a general court-martial. The decision was not to try them. They were given an honorable discharge, for this reason. They were addicts by their own admission before they came into the service. Nothing that they did in the service changed that. Therefore they were not entitled to a dishonorable discharge. Now I find that men have come into the service and because of what they were before they were accepted under the draft or otherwise, they are given a discharge that is neither honorable nor dishonorable. This bill before us will enable a review board to take into consideration their conduct in the community in which they live from the time of their discharge under a bad conduct or a not honorable discharge, something between honorable and dishonorable; how they are regarded by their fellow men in their home community, what they have done afterward, and apply that at the hearing in determining whether or not to give some relief in the matter of the kind of discharge that they shall have. That is all this bill does.

My only objection to this bill is that it does not go far enough. That would be an argument in favor of the position of the two gentlemen from New York who think that we should postpone this, have more hearings, and bring in a bill that we could amend. My argument against that is, as was stated by the gentleman from Massachusetts, the majority leader, that we will not get any bill at all in that case. Let us pass this bill even though it is not as good as it ought to be. It is a step in the right direction, and then next year, or whenever the proper time comes, correct it and make it as it should be.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM of Iowa. I yield to the gentleman from California.

Mr. ROOSEVELT. Let us not kid ourselves. The other body has not even held hearings on this bill. They are not going to put this bill into law at this time. Therefore, there is no reason why we should not deliberate on this bill in January and pass a thoroughgoing, sound bill.

Mr. CUNNINGHAM of Iowa. I have been here 17 years and I know that the other body can act in a hurry, when it wants to.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken and on a division (demanded by Mr. FULTON) there were—ayes 226, noes 8.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to consider District of Columbia business on Wednesday next, August 7.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM OF DISTRICT OF COLUMBIA BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am informed that there will be six bills from the District of Columbia to come up on Wednesday next.

First is the bill H. R. 8918, relating to the Sibley Memorial Hospital, a bill which I had the pleasure of introducing.

Second, H. R. 7863, to amend the District of Columbia Alcoholic Beverage Control Act.

Third, H. R. 7568, to amend the District of Columbia Police and Firemen's Salary Act of 1953 to provide that service in the grade of inspector and the grade of private in the Fire Department of the District of Columbia shall be deemed to be service in the same grade for the purpose of longevity increases.

Fourth, H. R. 7450, to amend section 4 of the act entitled "Policemen and Firemen's Retirement and Disability Act Amendments of 1957."

Fifth, H. R. 7349, to amend the act regulating the business of executing bonds for compensation in criminal cases in the District of Columbia.

Sixth, H. R. 7825, to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. No bridges or tunnels coming up?

Mr. McCORMACK. No.

TEMPORARY FREE IMPORTATION OF CASEIN

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 38) to amend the Tariff Act of 1930 to provide for the temporary free importation of casein, which has been unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the import duty imposed under paragraph 19 of title I of the Tariff Act of 1930, as amended, shall be suspended with respect to imports entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of enactment of this act and ending with the close of March 31, 1960.

Mr. COOPER. Mr. Speaker, H. R. 38 is to suspend the import duty under paragraph 19 of title I of the Tariff Act of 1930, as amended, until March 31, 1960, on casein or lactarene.

Casein is derived from skim milk and is used principally in the manufacture of various types of coated papers and as a basic raw material for production of water-resistant glue which is used in making exterior and other plywood products.

Your committee is advised that according to available official statistics the domestic production of casein consists almost entirely of edible casein while imports consist almost entirely of inedible casein. The Department of Commerce estimates that the 1956 production of casein was less than 1½ percent of the total domestic supply. Thus, the great bulk of the domestic consumption is being supplied by imports. Domestic production of casein has not risen or fallen with demand in recent years because the raw material from which casein is made (skim milk) is more profitably converted into other products, such as dry skim milk.

H. R. 38 suspends the duty on this product for a period of approximately 3 years, until March 31, 1960, thus providing an adequate safeguard in the event developments should make a change in policy desirable at that time.

The Committee on Ways and Means unanimously reported this bill.

Mr. JENKINS. Mr. Speaker, I have joined with my distinguished chairman and beloved colleague in supporting favorable House consideration of H. R. 38. This legislation has as its purpose the suspension until March 31, 1960, of the existing import duty on casein.

The enactment of this legislation will do injury to no domestic industry and will significantly benefit domestic consumers of casein. There is virtually no domestic production of this commodity. The consumption of casein is an important raw material to our domestic

paper industry and in addition to our domestic building supply industry.

The Secretary of Agriculture has advised the Committee on Ways and Means that the enactment of this legislation could be expected to bring about a reduction in the price of casein imports to the benefit of our domestic economy.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL CONVENTION TO FACILITATE THE IMPORTATION OF COMMERCIAL SAMPLES AND ADVERTISING MATTER

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5924) relating to the International Convention To Facilitate the Importation of Commercial Samples and Advertising Matter, which has been unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That paragraph 1629 of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1201, par. 1629), is amended by adding at the end thereof the following new subparagraph:

"(c) Any catalog, pricelist, or trade notice relating to offers, by a person whose principal place of business or bona fide residence is in a foreign country, to sell or rent products of a foreign country or to furnish foreign or international transportation or commercial insurance services."

SEC. 2. Section 201 of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1201), is amended by adding at the end thereof the following new paragraph:

"PAR. 1821. (a) Except as provided in subparagraphs (b), (c), and (d), any sample to be used in the United States only for soliciting orders for products of foreign countries.

"(b) Subparagraph (a) shall apply to a sample only if its value does not except $1, except that this limitation shall not apply to (1) any sample which is marked, torn, perforated, or otherwise treated, in such a manner that such sample is unsuitable for sale or for use otherwise than as a sample, or (2) any sample which is covered by subparagraph (c) or (d).

"(c) In the case of samples of alcoholic beverages, subparagraph (a) shall apply only to samples for the use of persons importing alcoholic beverages in commercial quantities. In no case shall subparagraph (a) apply to more than one sample of each alcoholic beverage product admitted during any calendar quarter for the use of each such person. No sample of a malt beverage shall contain more than 8 ounces, no sample of wine shall contain more than 4 ounces, and no sample of any other alcoholic beverage shall contain more than 2 ounces.

"(d) In the case of samples of tobacco products, and cigarette papers and tubes, subparagraph (a) shall apply only to samples for the use of persons importing any such article in commercial quantities. In no case shall subparagraph (a) apply to more than one sample of each tobacco product, cigarette paper, or cigarette tube, admitted during any calendar quarter for the use of each such person. No such sample shall contain more than (1) 3 cigars, (2) 3 cigarettes, (3) one-eighth of an ounce of tobacco, (4) one-eighth of an ounce of snuff, (5) 3 cigarette tubes, or (6) 25 cigarette papers.

"(e) Any article which is exempted by this paragraph from the payment of duty shall also be exempt from the payment of any internal revenue tax imposed on or by reason of importation and from the labeling requirements of the Federal Alcohol Administration Act and chapter 52 of the Internal Revenue Code of 1954.

"(f) The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out the provisions of this paragraph."

SEC. 3. Section 308 (3) of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1308 (3)), is amended by inserting "and motion-picture advertising films;" after "reproduction;".

SEC. 4. The amendments made by this act shall apply to articles entered for consumption or withdrawn from warehouse for consumption on or after the date on which the International Convention To Facilitate the Importation of Commercial Samples and Advertising Material comes into force for the United States.

Mr. COOPER. Mr. Speaker, the purpose of H. R. 5924 is to amend the Tariff Act of 1930 to provide for the importation of advertising materials, samples, and advertising films so as to implement an international convention. The convention was dated at Geneva November 7, 1952, and was signed on behalf of the United States on May 28, 1953. The Senate gave its advice and consent to the ratification of the convention on February 22, 1956.

This bill would provide duty-free entry for import of catalogs, price lists, and trade notices relating to the sale or rental of foreign goods or services to United States residents; of certain samples to be used in the United States only for soliciting orders for products of foreign countries; and of motion-picture advertising films under bond.

The United States customs treatment of imports of advertising matter and samples has not been an appreciable barrier to foreign concerns opening or maintaining sales operations in this country and the enactment of the bill will not involve important changes in the tariff treatment of the imports involved. Nevertheless, enactment of the bill is necessary to bring such tariff treatment precisely into accord with that contemplated by the convention. Your committee is informed that United States exporting interests place considerable importance on certain foreign countries accepting the convention, since it is believed that its provisions will facilitate the entry of samples and advertising matter into these countries from the United States.

The Committee on Ways and Means is unanimous in reporting this bill.

Mr. JENKINS. Mr. Speaker, as the chairman of the Committee on Ways and Means has indicated, the committee has unanimously acted to report favorably to the House, H. R. 5924 providing for the importation of advertising materials, samples, and advertising films so as to implement international convention. This legislation would provide duty-free entry for imports of catalogues, price lists, and trade notices relating to the sale or rental of foreign goods and services to United States residents. The legislation as approved by the committee contains numerous safeguards so as to prevent abuses and the Bureau of Customs in the Department of the Treasury has advised the Committee on Ways and Means that no administrative difficulties are anticipated from the favorable consideration of this legislation.

Because of the action by the committee in unanimously approving this legislation, I have joined with the chairman of my committee in urging the House to approve H. R. 5924.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, which has been unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1684 of section 201 of the Tariff Act of 1930 is amended as follows: (1) After the paragraph number insert "(a)"; (2) strike out "istle or Tampico fiber,"; and (3) add a new subparagraph as follows:

"(b) Istle or Tampico fiber, whether or not dressed or manufactured in any manner."

With the following committee amendment: Page 1, line 8, strike out "in any manner."

The committee amendment was agreed to.

Mr. COOPER. Mr. Speaker, H. R. 7096, as reported, will transfer dressed or manufactured istle or Tampico from the dutiable to the free list of the Tariff Act of 1930.

Istle or Tampico fiber is derived from several species of the agave plant which is indigenous to Mexico. It is one of the best known and most widely used of all vegetable brush fibers. Its principal use in the United States is in the manufacture of brushes. There is no domestic production of this raw fiber.

Your committee has been informed that good grades of the raw fiber are in short supply and that prices of the dressed fiber have risen with resulting increases in the cost of production and in the prices of the finished products.

Istle or Tampico fiber, not dressed or manufactured in any manner, is specifically enumerated in paragraph 1684 of the free list of the Tariff Act of 1930. Imports of dressed istle fiber are dutiable at the rate of 20 percent ad valorem. Pursuant to a trade agreement with Mexico, the rate of duty was reduced to 10 percent ad valorem, effective January 30, 1943, but the rate reverted to 20 percent upon termination of the trade agreement on January 1, 1951. This bill will

transfer istle or Tampico fiber to the free list of the Tariff Act of 1930.

The Committee on Ways and Means is unanimous in reporting this bill.

Mr. JENKINS. Mr. Speaker, it is my privilege to be the author of this legislation. In that capacity I express my sincere appreciation to the chairman of the Committee on Ways and Means for presenting this legislation to the House and to my colleagues in the House of Representatives for their favorable action that they have just taken.

H. R. 7096 would transfer to the free list of the Tariff Act of 1930 dressed or manufactured istle or tampico. This commodity is widely used in the United States in the manufacture of brushes. It is expected that the enactment of H. R. 7096 will improve the competitive position of our domestic brush industry. The executive departments reported favorably to the Committee on Ways and Means on this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEMPORARY FREE IMPORTATION OF CERTAIN TANNING EXTRACTS

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2842) to amend the Tariff Act by including tanning material extracts on the duty-free list, which has been unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Tariff Act of 1930 be hereby amended in the following particulars:

(1) Removing from paragraph 38, title I, Tariff Act of 1930, tanning material extracts including chestnut, cutch, divi divi, hemlock, mangrove, myrobalans, oak, quebracho, sumac, valonia, wattle, and other extracts, decoctions, and preparations of vegetable origin used for tanning not specifically provided for, and combinations and mixtures of the foregoing articles.

(2) Inserting in paragraph 1670, title II, Tariff Act of 1930, the following language: "Tanning material extracts including chestnut, cutch, divi divi, hemlock, mangrove, myrobalans, oak, quebracho, sumac, valonia, wattle, and other extracts, decoctions, and preparations of vegetable origin used for tanning not specifically provided for, and combinations and mixtures of the foregoing articles."

With the following committee amendments:

Strike out all after the enacting clause and insert "That (a) so much of paragraph 38 of the Tariff Act of 1930 (19 U. S. C., sec. 1001, par. 38) as precedes 'not specially provided for' is amended to read as follows:

"'Par. 38. Extracts, dyeing: Chlorophyll, fustic, logwood, Persian berry, saffron, safflower, saffron cake, and other extracts, decoctions, and preparations of vegetable origin used for dyeing, coloring, or staining,'

"(b) Paragraph 1670 of the Tariff Act of 1930 (19 U. S. C., sec. 1201, par. 1670) is amended by inserting '(a)' after 'Par. 1670', and by adding at the end thereof the following new subparagraph:

"'(b) Extracts, tanning: Chestnut, cutch, divi-divi, hemlock, mangrove, myrobalan, oak, quebracho, sumac, valonia, wattle, and other extracts, decoctions, and preparations of vegetable origin used for tanning, and combinations and mixtures of the foregoing; all the foregoing not containing alcohol and not specially provided for.'

"SEC. 2. The amendments made by the first section of this Act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, during the 3-year period beginning on the 30th day after the date of the enactment of this Act."

The committee amendment was agreed to.

Mr. COOPER. Mr. Speaker, H. R. 2842, as amended, would provide for a suspension of duty for a period of 3 years on imports of tanning-material extracts which are now dutiable under paragraph 38 of the Tariff Act of 1930 at reduced trade agreements rates ranging from 3¾ to 7½ percent ad valorem.

Your committee is informed by the Department of Commerce that the domestic tanning-extract industry has been dependent upon domestic chestnut wood and bark for the domestic production of chestnut tanning extract, the only vegetable tanning material which has been produced in the United States in significant quantity. Your committee is further informed that since the Japanese blight virtually wiped out the chestnut trees along the Appalachian Range, domestic firms producing tanning extracts have been unable to secure raw materials for production of the extract and that, as a result, the domestic availability has steadily declined and the firms which produced the extract have largely gone into other fields of activity.

The Committee on Ways and Means unanimously reports this bill.

Mr. JENKINS. Mr. Speaker, the Committee on Ways and Means has unanimously approved H. R. 2842 with amendments to provide a 3-year suspension of duties applicable to certain tanning material extracts. The executive departments reporting to the Committee on Ways and Means on this legislation all expressed a favorable attitude with respect to the legislative enactment. It is expected that this legislation will be of direct benefit to the domestic tanning extract industry and will be of indirect benefit to our economy generally.

Accordingly, Mr. Speaker, I have joined with the chairman of the Committee on Ways and Means in supporting this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts."

A motion to reconsider was laid on the table.

AMENDING SECTION 812 (e) (1) (D) OF THE INTERNAL REVENUE CODE OF 1939

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5938) to amend section 812 (e) (1) (D) of the Internal Revenue Code of 1939 with respect to certain decedents who were adjudged incompetent before April 2, 1948, which has been unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That section 812 (e) (1) (D) of the Internal Revenue Code of 1939 (relating to bequests of an interest to a surviving spouse conditional on survival for a limited period) is amended by adding at the end thereof the following:

"For the purposes of subparagraph (B), an event or contingency shall not be considered an event or contingency upon the occurrence of which an interest passing to the surviving spouse will terminate or fail if—

"(iii) within 6 months after the date of the decedent's death, such event or contingency becomes impossible of occurrence; and

"(iv) the decedent was adjudged incompetent before April 2, 1948, and was not restored to competency before his death."

SEC. 2. The amendment made by this Act shall apply with respect to decedents dying after April 2, 1948.

SEC. 3. No interest shall be allowed or paid on any overpayment resulting from the amendment made by this Act.

Mr. COOPER. Mr. Speaker, Members of the House will recall that as a part of the general program of equalizing taxes between residents of community property and common law States, the Revenue Act of 1948 provided a marital deduction limited to 50 percent of a decedent's gross estate. The marital deduction provided by the Revenue Act of 1948 is available only where property will vest under the decedent's will in the surviving spouse within 6 months after the death of decedent, and only if the transfer actually occurs. As a result of this 6-month rule, wills containing the usual clause requiring a spouse to survive administration of the decedent's estate as a precedent to taking under the will were redrafted to eliminate the clause. However, it has come to the attention of the committee that because of incompetency, mental or otherwise, some wills were not changed, with the result that the testator's estate was denied the benefits of the marital deduction.

H. R. 5938 provides an exception to the 6-month rule in the case of terminable interest passing to a surviving spouse where the event which could terminate the interest becomes impossible of occurrence within 6 months of the decedent's death. This bill was unanimously ordered reported by the Committee on Ways and Means.

Mr. JENKINS. Mr. Speaker, H. R. 5938 would amend section 812 of the Internal Revenue Code of 1939 so as to correct a hardship situation that has arisen with respect to estates of mentally or otherwise incompetent individuals. The Revenue Act of 1948 provided that the marital deduction was available with respect to a surviving spouse if the property would go to the surviving spouse within 6 months after the death of the decedent and only then

if the transfer actually occurred. Prior to the 1948 Revenue Act it was quite common for wills to require a spouse to survive the administration of a decedent's estate in order to receive specified property. The change in law made by the 1948 Revenue Act prompted many individuals to change the terms of their wills so as to be eligible for the marital deduction. However, such changes could not be made by individuals who were regarded as incompetent and incapable of a testamentary act before the passage of the 1948 Revenue Act. The legislation now under consideration would have the effect of making the marital deduction available with respect to the estates of such incompetent individuals.

Mr. Speaker, I have joined with the chairman of the Committee on Ways and Means in urging that this legislation receive the favorable consideration of the House.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF PERIOD WITHIN WHICH MINISTERS MAY ELECT SOCIAL-SECURITY COVERAGE AS SELF-EMPLOYED INDIVIDUALS

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8892) to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes, and for other purposes, which has been unanimously approved favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 1402 (e) (2) of the Internal Revenue Code of 1954 (relating to time for filing waiver certificates in the case of ministers, members of religious orders, and Christian Science practitioners) is amended (1) by inserting "whichever of the following dates is later: (A)" after "on or before", and (2) by inserting "; or (B) the due date of the return (including any extension thereof) for his second taxable year ending after 1956" before the final period.

(b) Section 1402 (e) (3) of such code (relating to effective date of certificate) is amended by adding at the end thereof the following: "Notwithstanding the first sentence of this paragraph:

"(A) A certificate filed by an individual after the date of the enactment of this subparagraph but on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1956 shall be effective for the first taxable year ending after 1955 and all succeeding taxable years.

"(B) If an individual filed a certificate on or before the date of the enactment of this subparagraph which (but for this subparagraph) is effective only for the third or fourth taxable year ending after 1954 and all succeeding taxable years, such certificate shall be effective for his first taxable year ending after 1955 and all succeeding taxable years if such individual files a supplemental certificate after the date of the enactment of this subparagraph and on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1956.

"(C) A certificate filed by an individual after the due date of the return (including any extension thereof) for his second taxable year ending after 1956 shall be effective for the taxable year immediately preceding the taxable year with respect to which it is filed and all succeeding taxable years."

(c) If a certificate filed pursuant to section 1402 (e) (3) (A) or (B) of the Internal Revenue Code of 1954 after the due date of the return (including any extension thereof) for any taxable year is effective for such taxable year or for any preceding taxable year, then—

(1) for purposes of computing interest, the due date for the payment of the increase in tax for such taxable year or years resulting from the filing of such certificate shall be the last day of the sixth month following the month in which such certificate is filed;

(2) the statutory period for the assessment of any deficiency attributable to such increase in tax shall not expire before the expiration of 3 years from such due date; and

(3) for purposes of section 6651 of such code (relating to addition to tax for failure to file tax return), the amount of tax required to be shown on the return shall not include such increase in tax.

SEC. 2. Section 1402 (e) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) Treatment of certain remuneration paid in 1955 and 1956 as wages.—If—

"(A) in 1955 or 1956 an individual was paid remuneration for service described in section 3121 (b) (8) (A) which was erroneously treated by the organization employing him (under a certificate filed by such organization pursuant to section 3121 (k) or the corresponding section of prior law) as employment (within the meaning of chapter 21), and

"(B) on or before the date of the enactment of this paragraph the taxes imposed by sections 3101 and 3111 were paid (in good faith and upon the assumption that the insurance system established by title II of the Social Security Act had been extended to such service) with respect to any part of the remuneration paid to such individual for such service,

then the remuneration with respect to which such taxes were paid, and with respect to which no credit or refund of such taxes (other than a credit or refund which would be allowable if such service had constituted employment) has been obtained on or before the date of the enactment of this paragraph, shall be deemed (for purposes of this chapter and chapter 21) to constitute remuneration paid for employment and not net earnings from self-employment."

SEC. 3. Remuneration which is deemed under section 1402 (e) (4) of the Internal Revenue Code of 1954 to constitute remuneration for employment shall also be deemed, notwithstanding sections 210 (a) (8) (A) and 211 (c) of the Social Security Act, to constitute remuneration for employment (and not net earnings from self-employment) for purposes of title II of such Act.

SEC. 4. (a) Section 3, and the amendments made by the first section of this Act, shall apply with respect to monthly insurance benefits under title II of the Social Security Act for months beginning after, and lump sum death payments under such title in the case of deaths occurring after, the date of the enactment of this Act.

(b) Notwithstanding subsection (a), in the case of any individual who—

(1) (A) has remuneration which is deemed, by reason of section 3, to constitute remuneration for employment for purposes of title II of the Social Security Act, or

(B) has income which constitutes net earnings from self-employment under such title by reason of the filing of a certificate pursuant to section 1402 (e) (3) (A) or (B) of the Internal Rvenue Code of 1954, and

(2) was entitled to monthly insurance benefits under title II of the Social Security Act for the month in which this Act is enacted,

section 3 and the amendments made by the first section of this Act shall apply with respect to monthly insurance benefits under such title based on his wages and self-employment income only if he, or any other person entitled to monthly insurance benefits under such title on the basis of such wages and self-employment income, files, on or after the date of enactment of this Act, an application for recomputation by reason of this Act. Such recomputation shall be made in the manner provided in title II of the Social Security Act as in effect at the time of the last previous computation or recomputation of such individual's primary insurance amount and as though the application therefor was filed in the month in which the application for such last previous computation or recomputation was filed. No recomputation under this subsection shall be regarded as a recomputation under section 215 (f) of the Social Security Act. Any such recomputation shall be effective for and after the twelfth month before the month in which the application therefor is filed, but in no case for any month which begins on or prior to the date of the enactment of this Act. Any such recomputation shall be effective only if it results in a higher primary insurance amount.

(c) The preceding provisions of this section shall not render erroneous any monthly insurance benefits under title II of the Social Security Act for the month in which this Act is enacted or any prior month.

Mr. COOPER. Mr. Speaker, the purpose of H. R. 8892 is to amend the Internal Revenue Code of 1954 to extend for 2 years the time within which ministers may file waiver certificates to elect coverage under the old-age, survivors, and disability insurance program as self-employed persons. Each minister who files a waiver certificate during the extended period would be covered under old-age, survivors, and disability insurance for each year, beginning with his first taxable year ending after 1955, in which he had net earnings from self-employment of $400 or more.

H. R. 8892 would not change the deadline presently prescribed for the filing of waiver certificates when that deadline is later than the one provided in the bill, as in the case of a person who becomes a minister in the future or a minister who did not have—and will not have—net earnings from self-employment of $400 or more, some portion of which was from the exercise of the ministry, in two or more of the taxable years 1955, 1956, 1957, and 1958. However, it would amend the existing provisions to make a waiver certificate filed after the extended period provided in the bill effective with the taxable year preceding the one for which it was filed—assuming this preceding year meets the $400 earnings requirement.

Finally, the bill would provide, both for tax purposes under the Internal Revenue Code and benefit purposes under title II of the Social Security Act, for

treatment as remuneration for employment, instead of as net earnings from self-employment, of remuneration paid in 1955 and 1956 to ministers and erroneously reported as wages, in good faith, by certain nonprofit organizations—to the extent of the unrefunded social security taxes paid.

In order to state the matter as simply as possible, H. R. 8892 is designed to give an opportunity to ministers who, because of failure to receive information as to the filing deadline, or who because of other circumstances were unable to meet the deadline, or who because of being erroneously considered along with lay employees by nonprofit institutions, to elect coverage.

Your committee was unanimous in reporting this bill.

Mr. JENKINS. Mr. Speaker, this meritorious legislation would extend for 2 years the time within which ministers may elect to obtain OASI coverage under the provisions of the existing social-security law. Present law requires a minister to elect OASI coverage on or before the due date of the tax return for the second taxable year after 1954. For most individuals affected by this requirement the termination date of the coverage privilege was April 15, 1957. It was brought to the attention of the Committee on Ways and Means that many ministers had not been adequately informed as to their rights to obtain OASI coverage and the procedures they were required to follow to that end. Accordingly, the Committee on Ways and Means has approved H. R. 8892 to provide an additional period for ministers to act in making an election for coverage. This legislation is necessary to take care of situations where ministers have not acted at all to obtain coverage and to take care of situations where ministers have erroneously been treated as employees for social-security purposes for the years 1955 and 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE TWO SURPLUSES

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, there are two surpluses confronting the American people today. One is the surplus of food—the so-called farm surplus. The other is the surplus of hungry human beings in every corner of the globe. The demands of true statesmanship will not have been met until we find a way for these two surpluses to cancel out each other.

We are not using very much of our intelligence and imagination when we wring our hands in despair over our bursting granaries, while all around us we are confronted by the grim specter of human starvation.

If we would turn even a fraction of the brainpower that we use perfecting weapons of death to the constructive use of food, we would have to increase farm production instead of worrying about surpluses.

Studies by the United States Department of Agriculture have demonstrated conclusively that if low-income families in the United States were enjoying the same diets as moderate-income American families, we would have to increase our farm production just to feed our own population.

At a time of great national prosperity, it is easy to forget that millions of American families are subsisting on inadequate diets. Many a resident of the Nation's Capital was shocked last winter when the local press disclosed conditions of malnutrition and outright hunger among schoolchildren within the shadow of the United States Capitol.

The Washington Daily News of July 30, 1957, carries a story of a 76-year-old widow of the District of Columbia, Mrs. Mary Frances Richards. Mrs. Richards is engaged in a life-and-death struggle trying to make a $31.21 monthly public welfare allowance pay for all her food, clothing, medicine, transportation, and household needs. Her diet consists of cheap oatmeal, skim milk, overripe apples, chicken wings, stale toast, an egg and part of a medium-sized potato.

To Mrs. Richards and thousands of other aged citizens, hunger is a constant companion to the other insecurities of their old age.

It has always seemed especially tragic to me when hunger strikes a little child, or when it is added to the afflictions of the aged. Yet, even in abundant America, millions of our youngsters and our aging citizens are blighted by malnutrition.

Only one-fourth of the Nation's schools are participating in the school lunch and milk programs. Yet, an appalling number of schoolchildren are hampered by meager, inadequate diets.

At the other end of the age scale, our elder citizens are trying painfully to stretch social security checks, modest savings or annuities over the inflationary gap that separates them from decent diets and adequate medical care.

The problem of hunger in the United States is as nothing, however, compared to the grinding hunger that is the curse of two out of three people in the rest of the world.

I have believed for a long time that aside from any moral considerations involved, our surplus food can be our greatest asset in our global competition with Soviet communism.

The one American asset which the Russians envy above all others is our agricultural productivity. Certainly, the Russian leaders would not regard a food surplus as a handicap in their efforts to convert the world to communism.

The Russians know that food is more powerful than guns in building friendships with the depressed nations of the world.

I have no doubt that, wisely used, food will win more hearts in the battle against tyranny than will guns and bombs.

It is still true that bread cast upon the waters will return manyfold.

The constructive use of food will not only be a boon to American agriculture and a helpful ingredient in American foreign policy; it will help us discharge one of the great moral responsibilities entailed in world leadership.

Providence has blessed America with vast quantities of fertile soil and sweet water. We cannot consider ourselves faithful stewards of this abundance unless we heed the cry for bread of others who are less fortunate.

I suggest that we develop and expand the following five programs as steps toward a better utilization of food surpluses:

First. A simple food-stamp plan designed to make food surpluses available to needy American families;

Second. An expanded school-lunch and school-milk program;

Third. Greater exchange of American farm surpluses for foreign currencies under the principle of Public Law 480. This program enables countries with a dollar shortage to buy American farm surpluses with their own currencies. We, in turn, use the national currency for constructive purpose in the country involved. In addition to the United States Government, religious and charitable organizations are now participating in this program. They distributed over a billion and a quarter pounds of surplus foodstuffs last year;

Fourth. An expanded use of farm surpluses in needy countries through the Food and Agriculture Organization of the United Nations; and

Fifth. A national food reserve to protect us against famine, pestilence, and war. This should be supplemented with a world food bank under the auspices of the United Nations.

These are only a few of the steps that we might take in utilizing the surplus of food to decrease the surplus of hungry stomachs.

The time has come when we have both the ability and the responsibility to convert food abundance into a telling attack on the ancient evil of hunger. Let us attack, then, with the same vigor and clear purpose that has sent us into battle against less-challenging enemies in the past.

SMALL BUSINESS ADMINISTRATION ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, Congress has just extended the Small Business Administration Act for 1 year. The next session of the 85th Congress, which convenes January 3, will consider the question of making the act permanent and other amendments.

The Small Business Administration can do a wonderful job if given the power and the money, and if it has officials in charge who are sympathetic to the general idea of helping the small-business man get a loan if such a loan is not available in his locality at a reasonable price of interest.

I know that the Small Business Administration has done a better job the last year than before. However, it only averaged making two business loans per Congressional district the first 3½ years after it was established or up until February 1957. It has a much better record as a procurer of business loans for the banks than it has for direct loans to the needy small-business man. I am not against the banks making the loans; in fact, I wish they would make all the loans, but since the banks have turned the applicants down in the first place, and that is the reason the applicant goes to the Small Business Administration, I do not see too much reason why the Government should spend a lot of money to get the loan application in fine shape just to turn it over to the bank that has declined it, although I am sure there are deserving cases that will justify this course.

It is my judgment that Congress cannot afford to enact a permanent Small Business Administration Act without providing more substantial benefits to small business, at least making possible more and greater opportunities for small business to survive and compete.

Under the present act, a small-business concern cannot obtain a loan of more than $250,000. I doubt that any Member of Congress would want this restriction to represent his feeling and appreciation of the 4 million small-business concerns in the United States. It looks too much like Congress is willing to permit a small concern to get a small loan, not exceeding $250,000 to compete with other small-business concerns, but is unwilling to provide enough credit to permit a small-business concern credit to compete with a big-business concern. In other words, I do not believe that any Member of Congress wants to put himself in the position of saying that he is willing to let small-business men have small loans to fight among themselves but not under any circumstances to permit a small concern to get enough money to go into competition with a big concern.

I am not opposing big concerns because they are big. They have their place in our economy, and it is a very important place. It is my belief that neither big business nor little business should be discriminated against. My contention is that small business be given equal opportunities with big business and not be discriminated against by big business. An equal chance only is desired for small business.

Specifically, there are thousands of gadgets and appliances that can be made by small-business concerns that are necessary in the national-defense program. Under present restrictions, if a small man in his ambition to expand discovers a gadget that is being made under the direction or instructions of the Secretary of Defense, he can make arrangements to produce such a device only to the extent of his existing assets and his ability to borrow up to $250,000 from the Small Business Administration. If, however, he discovers that he can make a gadget that is now being made by one of the two or three big concerns, but that he will need a million dollars in credit or $5 million in credit, he is unable to make such an arrangement because there is no agency that will receive an application from him for such an amount. In this particular case, it is possible that the Government would save a considerable sum if the small man were allowed to produce the gadget, and at the same time it would be of great benefit to the small-business man and to the small-business economy. But there is no agency sponsored by our Government that is permitted to accommodate him. He is restricted to a loan of $250,000, only enough to compete with other small concerns but not enough to enable him to step on the toes of the big concern.

The extension of the Small Business Administration Act should carry with it permission under unusual and extraordinary cases to make loans without restrictions, as long as the loans are in the small-business field, using the words "small business" in a relative sense. For instance, small business in the making of cement, steel, and many other commodities, requires financing involving millions of dollars. This is still small business in a relative sense and permits the little man under proper circumstances to become a competitor of the big man. The definition of small business will keep the amounts down to reasonable.

There is no place in the United States today where a small concern can get enough money in the form of a loan to build a cement plant. The banks and insurance companies have on their boards of directors representatives of the cement industry, and a loan application through either of these would not have any chance at all.

It is rather ironical that our Government is sponsoring three agencies that will help business—large, medium, or small—in any country of the world except here; in the United States they will not help a small concern. I refer to the International Bank, in which we have a considerable investment; the Export-Import Bank, which makes loans involving billions sponsored wholly by the United States and uses United States dollars; and the International Finance Corporation, one-third of the stock being owned by the United States Government.

A concern in any other country in the world except the United States has an opportunity to obtain financing for a cement mill or a small or large steel mill from either of these agencies. A concern just south of the Rio Grande in Mexico has an opportunity to secure financing for a cement mill within a stone's throw of the United States, but a concern in the United States just across the Rio Grande in Texas does not have any place to go to get consideration of financing of any kind for a project involving more than $250,000.

The same illustration could be given for Canada. So the point is we are perfectly willing to help take care of small business in all other countries of the world, but actually discriminating against our own people and our own small concerns. I am inserting herewith an article that appeared in the New York Times on Saturday, August 3, 1957. It is as follows:

JAPANESE IRON CONCERN GETS $10,300,000 LOAN

WASHINGTON, August 2.—The Export-Import Bank announced today a $10,300,000 loan to the Fuji Iron & Steel Co., Ltd., of Japan to finance the purchase of heavy rolling machines.

It was the first credit by the bank to a steel mill in the Far East and the first to heavy industry in Japan.

The loan is to assist the company in an $89 million expansion of its major plant, the Hirohata works. The expansion is part of a $160 million modernization program being undertaken in the company's plants between 1955 and 1960.

The Export-Import Bank said Fuji Iron & Steel would buy in the United States an 80-inch, 4-inch reversing cold mill, a 160-inch, 4-high reversing plate mill, and a continuous annealing furnace. The cold strip and plate mills will be manufactured by the United Engineering & Foundry Co., of Pittsburgh, and the annealing furnace by the Wean Engineering Co., Inc., of Warren, Ohio.

It will be noticed that the Export-Import Bank is putting up the money for this steel plant. It is all United States money. A concern in the United States wanting to build a steel plant would not have a chance of getting money for that purpose.

There are dozens of different manufacturing plants that could be established by small concerns if they had a reasonable amount of credit. Why are they denied this credit? Is it because we are afraid that they will step on the toes of the big man by becoming a competitor of the big man and causing prices to be kept lower?

Another question, why should we discriminate against our own people by denying our own people the same opportunities to get credit that we so anxiously give to people in other countries? Under the foreign-aid bill recently passed by the House, another financial project, referred to as loan development, will be available for loans to people in other countries, but not in the United States.

Just recently, the Export-Import Bank made possible an $87 million loan to Bogotá to help out the powerful Colombian Coffee Growers' Association. The financial weekly, Barron's, states in its July 29, 1957, issue concerning this loan:

Repayment of the loan is far from certain. In short, a deal benefiting relatively few merchants will drain money needlessly both from the United States Treasury and from the pockets of consumers.

Barron's also points out that in the latest fiscal year, the Export-Import Bank has made an unprecedented 182 loans totaling more than a billion dollars to 36 countries. Barron's also stated:

In the past year, to illustrate, it [Export-Import Bank] extended a $100 million loan to Argentina, a country whose credit standing is hardly AAA.

It is further pointed out that during the past year, 18 loans have been made by the Export-Import Bank for nearly $200 million to Brazil.

It is interesting, although disappointing, to any American citizen to read the list of the many loans that are made

with our money to foreign countries and small concerns in foreign countries for purposes for which such loans are denied here in the United States. To me, this does not make sense—either common, book, or horse.

REPUBLICAN PRICE-SUPPORT OPERATIONS

Mr. HARVEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY. Mr. Speaker, during the discussion by my Democrat colleagues the other day on the record of the Republican administration some very misleading information was passed out about the extent of farm price-support operations and the success of programs to move accumulated surpluses out of Government inventory. An obvious effort was made to confuse issues and make it appear that policies of the present administration were responsible for surplus problems which were really inherited from the Democrats.

Let us review a few basic facts to set the record straight.

Long after it should have been apparent that demand was falling off and surplus trouble was just ahead, the previous administration refused to use the production controls which were available. As late as 1952 they failed to order acreage allotments for 1953 crops of leading basic commodities—and, in fact, issued a call for continued all-out production.

As a result, farmers in 1953 grew the third largest cotton crop of record, the fourth largest wheat crop, and well over 3 billion bushels of corn.

When the present administration came into office it called for reinstatement of adjustment programs, but they, of course, could not be effective until 1954. In the meantime, the great surplus buildup was already out of hand.

We have had plenty of surplus troubles, but let us never forget that they stemmed from the unsound programs and policies of the Democrats.

The other side of the picture shows what the present administration has been doing in a constructive way to reverse trends and overcome the obstacles left on its doorstep.

We have used fully the production adjustment machinery already available. We have initiated the soil-bank program as an emergency measure to cut down the inherited accumulation of surplus. We have adjusted price-support levels more realistically in line with the supply situation. We have taken aggressive action to move inventory surpluses into useful consumption—instead of letting them deteriorate in storage.

Since 1953, the Department of Agriculture has disposed of inventories costing about $10 billion. Chief emphasis has been on dollar sales, supplemented by special export and other distribution programs as needed to get the job done. We are proud of these programs, and their results. American agriculture has benefited greatly.

Proof of the success of these combined efforts is found in the record. From peak inventory and loan holdings valued at nearly $9 billion in February of 1956, the total has been reduced to a little over $7½ billion by the end of this past May.

We are moving in the right direction, Mr. Speaker. Sound policies are beginning to pay off. Let us not be confused by those who try to pin the mistakes of the past on the present.

THE COMMUNIST SECURITY SYSTEM—THE SYSTEM OF THE INVISIBLE GOVERNMENT

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 30 minutes.)

Mr. SHEEHAN. Mr. Speaker, the German people have long been known for their intense opposition to the Communist tyranny. One of the groups who have always fought this tyranny is represented by the Sudeten German National Expellee Association—Sudetendeutsche Landsmannschaft—of which Dr. Walter Beecher is the secretary general. This association has certainly been pro-American and is lending every effort possible to fight against the Russian Communist invaders of their homeland.

This organization has had in its possession a document outlining the structure and the working methods of the Communist Security System—CSS—the invisible hierarchy that governs the Communist apparatus, and have made it available to me. It is interesting to note that this exposé has been available to certain Western governments and private agencies who could have taken action on it and by its publication could have enabled the Free World to have a better understanding of the real dangers of the Communist conspiracy. Nonetheless, as far as the Sudetendeutsche Landsmannschaft knows, the revelations embodied in this document have never been exposed to world scrutiny. Believing it their duty to contribute to the Free World struggle against international communism, and considering it their moral obligation to help the enslaved nations regain their sovereignty, they have therefore appealed to me to present this document detailing the Machiavellian Communist cunning to the American public.

In their relentless fight against communism the Sudeten Germans suffered great hardships. Their quest for self-determination was the most important reason for the expulsion of 3½ million German compatriots from their ancestral homesteads in the border region of Bohemia, Moravia, and Austrian Silesia after World War II.

It is hoped that the disclosures contained in this hitherto suppressed document will help to put in its proper perspective many of the newspaper articles and radio broadcasts which reveal Communist intrigues but do not enlighten the Free World about the basic inner workings of the immoral Communist system.

The Sudetendeutsche Landsmannschaft document follows:

THE MAKEUP OF THE COMMUNIST SECURITY SYSTEM

The Communist Security System (CSS) is a system of the invisible government which controls the nations dominated by communism as a philosophy and system of governing a country.

Since the coming to power of communism in Russia, right after World War I, the Western experts and journalists have conveyed to the free peoples of the world that the Communist system is the system of the known Communist Party members, and of the Politburo, which is supposed to guide the destinies of communism in Russia, and ostensibly, in the world. These experts and journalists have been occupied with defining many of the various phases which communism has undergone, such as the individual evolutions and trends within the Communist Party, the developments toward a hard and a soft course, a pro-Moscow and anti-Moscow course, national communism, de-Stalinization, and, from time to time, have advised the free peoples that the power and the control of the Communist Party in Russia will eventually shift to the army.

We are witnessing another rebirth of this line of reasoning in today's emphasis on the role of Zhukov and the army in controlling the Communist Party. Yet, all of the time, the peoples of the Free World are given the picture that the Communist system is the system of the visible, open and known Communist functionaries, party members and officeholders.

Perhaps the first break in exploding this fallacy to the free peoples of the world occurred in America when the investigations of the Congress brought out the realization that the known Communists in America were, in most cases, puppets who like many of the Russian officials, to wit, Malenkov Molotov, and Beria, could be disposed of or brought back on the stage like puppets on a string.

The visible party organization of the Communists in the free countries can be likened to the tops of icebergs, which merely represent a small visible part of the Communist secret conspiracy in the free world—whereas the greatest part of the system is hidden below the surface.

The unknown and guiding members of the Communist Security System—consisting of spies, agents, fellow travelers, rich financiers and secret Communist Party members everywhere in the many strata of society, including the press and radio, are immeasurably more dangerous and more effective than the recognized and known party members. Within the Communist-controlled parties in the nations dominated by communism, neither the known members of the Communist Party, nor the army, are the real wielders of power in the Communist states. The men directing Communist Party philosophy and policy in both the known Communist Party functionaries and in the army, constitute the secret organization known as the Communist Security System (CSS).

It is our belief that this is the first time that the Free World has been in possession of a document describing the workings of the Communist Security System. The facts in this document have been available to many agencies of the free nations for quite some time, and yet all these government agencies did with the vital revelations of the Communist Security System was to keep the workings of the CSS secret. The following description of the operations of the inner and secret Communist Security System are for the first time publicly published in this document, and it is readily understandable why the members of the invisible government making up the CSS prefer that the

free peoples of the world remain uninformed about the inner workings of their organization.

Although the members of the CSS are for the most part secret, in that they are not openly known, a certain number of them are officially known and usually are members of the so-called secret police or security police. These latter members, as a rule, work openly through the offices of the secret or state police in all the districts and provincial towns in the Communist country. The membership consists of agents who are not compelled to wear uniforms and those who are uniformed agents. Both classes are issued special identity cards which entitle them, when they wish to make use of same, to free transportation, free entry to public places and, in general, serve as a pass to any function they might want to attend.

The top echelon of the CSS are the real directors of the management of the state organization of a country and is divided into three sections:

1. The internal information section.
2. The economic section.
3. The foreign information section.

MILITARY INTELLIGENCE AND COUNTER-INTELLIGENCE SYSTEMS

The military intelligence and counterintelligence systems do not officially constitute a section of the CSS but are separate. Their agents wear civilian clothes and supervise the "inner secret troops" whose soldiers wear a special military uniform and carry special arms. The key positions in the country, strategic centers and security guards for officials are entrusted to the military intelligence and counterintelligence systems. The arrests of soldiers are exclusively carried out by members of this unit. Attached to it is a special school where students—after proper training—are sent into the regular army units as simple soldiers in order to carry out the security control intelligence activities, and these special agents are unknown, even to the officers of the units to which they are stationed. They carry out various functions and at all times have permission to use their arms, should the occasion warrant, even against the commander of their regiment.

The regular police force, or corps of national security, both uniformed and nonuniformed, which deals with civilian laws and regulations, is independent of the CSS in the sense that although the normal police force is watched and supervised by members of the invisible government, it is not normally used in carrying out Communist policy.

In the greatest majority of the cases, when the CSS decides that a person should be arrested, action is taken by the regular police force, which usually is the corps of national security. All questioning and methods of extracting confessions or admissions from the arrested victims are carried out by the CSS agents. The police or corps of national security are only entrusted with the custody of the persons arrested upon the initiative or orders of the CSS, and this police is not authorized to question or talk with the arrestees. Policemen or police officials who do not respect this policy are subject to prison sentences and/or concentration camps, depending upon the seriousness of their attempts to secure information from the arrested people.

The visible part of the CSS has its offices and its known officials in every district and province. Each particular office is directed by a security system chief who is a civilian. He has the power to investigate magistrates who are answerable to him. The CSS office in each district as a rule does not exercise administrative services but always has the power to intervene in all fields of life such as the schools, factories, armies, et cetera. The visible part of the CSS in each province is not concerned with the ordinary criminal or police cases in its district because these problems fall under the province of the domestic police force—unless, of course, these cases should involve sabotage, political problems or such criminal actions as might affect the security of the CSS itself.

A most important function of the CSS is the control of the admission of students to the universities. Approval of local officials of the CSS, both secret and known, is required before students can be admitted to the university. If a member of the Youth Organization has refused to cooperate and collaborate with the agents of the CSS, it follows that he will not be given an O. K. for admission to the university. On the other hand, it must always be remembered that certain persons, who seem opposed to the Communist regime in a limited way, manage to be admitted to the university because secretly they are members of the CSS and serve as counteragents to trip the unwary and unsuspecting.

The key personnel or top policy and administrative membership of the local CSS is comprised of tried and true members of the Communist Party. It should be understood that in all cases, these people have become involved in the past in either criminal or political offenses. The guiding principle in controlling members of the CSS is the ready availability of their past criminal record, which method will be further developed later; so that, in the event of any hesitation in carrying out party discipline, they can be summarily and publicly chastised or jailed. Of course, this particular group of the CSS is probably comprised of people known under their correct names. The unknown members of the CSS, in their travels or on missions for the party, assume false names and are usually sent to parts of the country where they are not known.

INTERNAL INFORMATION SECTION

The duties and functions of the internal information section are to discover the enemies "of the people" and the "class enemies," and to watch over the loyalty of the administrative officials of the party functionaries and key personnel in the country.

ECONOMIC SECTION

The economic section is concerned with discovering those who deal in the black market and in economic sabotage, and to make sure that the farmers and business groups who deliver their crops and products regularly do not withhold anything for their personal use.

FOREIGN INFORMATION SECTION

The foreign information section is mainly concerned with the discovery of spies and foreign agents, anti-Communist plots within the country, and the direction and supervision of foreign intelligence agents and programs in the capitalist countries.

THE CSS WORKING BEHIND THE SCENES

The CSS secures its agents from among either the general populace or the official card-carrying members of the Communist Party without any interference from other organizations or persons outside the actual members of the CSS. Frequently, there are conflicts between the members of the CSS and the card-carrying members of the Communist Party because of the manner in which certain individuals are secured as secret agents or collaborators. In all such conflicts, the decisions of the members and/or ruling members of the CSS are final. The known or official collaborators of the CSS are all card-carrying members of the Communist Party and in most cases are employees of the Government.

This is the formula or scheme of action advocated by the card-carrying members of the Communist Party which serves to justify the actions toward non-Communist people. Discipline upon card-carrying Communist Party members is maintained by making it mandatory for any party member who hears anyone attack or talk against the Communist regime to denounce his fellow citizens or party members to the CSS, i. e., to the members of the CSS who are the known members in charge of security matters. This denouncement must be made regardless of what the relationship of the party member is to the person denounced. The loyalty of card-carrying members is often tested, since a card-carrying member does not know that the individual denouncing the Communist System is a secret member of the CSS. If the card-carrying member fails to denounce this secret member, naturally the individuals or unknown members of the CSS know that he, the card-carrying person, cannot be relied upon and his loyalty or membership in the Communist Party is then open to question. Frequently this takes the form of a public attack during open meetings of the Communist Party by accusing the card-carrying party member of "collaboration with a class enemy." In every phase of life there are card-carrying members of the Communist Party who are in direct contact with the CSS and who must constantly inform the CSS of all activities which may endanger the cause of communism. When a card-carrying member of the Communist Party is judged guilty in the eyes of the CSS, he is often punished by having secret agents attack or denounce him in the schools or factories on the occasion of party meetings. It is the intention of the CSS to give the workers and employees the impression that the criticism or the attack is merely a personal affair between the unknown secret agent or collaborator and the card-carrying member in the former's guise as a plain citizen rather than as an attack by an agent of the CSS. The CSS does this in order to remain behind the scenes and yet be able to effectively punish any deviationists. In a similar manner, certain people in the CSS have the power to order a Government employee, journalist or party member to write or express whatever views the CSS wants known. Many times they are tolerated for criticizing the Government or party members in order to give a semblance of individuality within a community or within the country.

KNOWN ORGANIZATIONS OF THE CSS

1. General chief of the security system.
2. Section chiefs of the central management.
3. State security chiefs in the towns or provinces.
4. Group chiefs in the towns.
5. Section chiefs attached to various groups among schools, workers, government employees, administrative personnel and inspectors.

BENEFITS OF MEMBERSHIP IN THE CSS

The monetary rewards to the top members in the CSS are such that their living conditions are the best, much higher than members of the army or of the state officers. They also enjoy special travel privileges and bonuses, and are always able to purchase material needs at discounts from the State stores. They enjoy special ration privileges and frequently can buy items that are strictly rationed to ordinary members of the party. All officials and top members of the CSS who are not publicly known as being of the first four classes listed in the organizational chart are secret agents and have regular salary in addition to the salary and bonus which they derive as secret or undercover members of the CSS. The rate of wages or salary of these members varies and is dependent upon the type of service they render and the office they hold in the secret hierarchy. Bonuses and extra compensation are also paid to all members of the CSS upon exposing organized plots against the state or party. It is an inflexible rule that at all times receipts must be signed for such payments.

CSS COLLABORATORS

The CSS makes extensive use of collaborators. They help the CSS in the work of discovering enemies of the state and party; although such collaborators have no official duties in the CSS, and they may or may not be card-carrying members of the Communist Party. In most instances, these individuals are forced to become collaborators because the CSS has them at their mercy due to known weaknesses or crimes. Whether an individual has committed a crime against the civil laws or against the state, the CSS makes use of these weaknesses or crimes to get the individual to collaborate with them in carrying out orders. They are especially interested in recruiting from the ranks of former anti-Communists and religious organizations and military personnel; so that, beside their own secret and known members, they can count on collaborating members who are not in the official membership of the CSS.

A collaborator is often obtained through arrest by Government officials who accuse the prospective collaborator of serious offenses against the party or Government. Although this accusation may be entirely faked, it is supported by documents, facts, and witnesses which when shown to a judge, would cause the accused to be found guilty and confined to a jail or be sent away. This work also involves all of the refinements that the CSS has perfected in forcing witnesses to confess their guilt. In most cases, the proof of these accusations would bring on a death sentence, but the CSS then makes it clear to the defendant that he can avoid sentence and remain alive if he makes himself useful to the Communist Party, and in that way pay for his crime. In other words, the suggestion is made to him to join in the work of the CSS and assist in discovering the enemies of the people. Once he agrees to this, the collaborator must sign a statement to the effect that he will carry out the orders of the CSS and in the event of nonfulfillment, be willing to forfeit his life. Since the community residents have knowledge of his transgression, the accused is many times given a prison sentence and pardoned shortly afterward. His training for the new job is immediately begun. While he is in prison, the CSS gives him certain duties to perform such as reporting on other prisoners. In this manner, the collaborator soon proves his trustworthiness. From the local jail he is usually given a further sentence in a concentration camp and he continues the duties of a collaborator until such time as he is removed to another part of the country where he is not known. There he must continue his work as a collaborator and carry out his assignment for the CSS. Should he fail to collaborate with the CSS, he is rearrested, the trial reopened, his confessions and transgressions revealed and, except in rare cases, he is immediately sentenced to death because of his unreliability. The forced collaborator knows that in the event any of his relatives or companions learn of his connections, it would also result in his death.

The CSS awards bonuses to those secret collaborators. It will also offer bonuses to people for collaboration—even though these people have no connection with the Communist Party or the CSS. Of course, a dedicated and loyal member of the CSS would never take such a bonus or outright bribe because he knows too well that any knowledge of such action would immediately hurt his standing with the CSS.

Many people become collaborators in the CSS without having any thought or idea in the beginning that they would become involved in the Communist system. There are certain procedures which are used by the CSS to recruit collaborators and the following are some of the standard operating procedures.

HUMAN WEAKNESSES AND AMBITIONS

The personal relationships of people are constantly being watched so that the CSS can exploit their passions and weaknesses. They know when a man is having marital troubles and desires to get rid of his wife. An agent approaches the man and leads him to believe that if he can come to some agreement with the CSS and is willing to render "a few services" to the party, he will then win his divorce or separation. In the beginning these "services" are very small and inoffensive, such as being asked to detail the conversations that took place at a wedding party, covering the people who attended, and whether or not there was any derogatory conversation against the state or against members of the party. Once it is determined that prospective collaborator can be of service, the divorce from his wife becomes easy.

In a similar manner the sentimental relationships among young people are exploited to the extent that when a young man wants to marry a girl, and her parents have serious objections, the agents of the CSS persuade the man or girl to follow certain trivial orders and, in return for these "small services" to the state, the collaborator is promised that his marriage will be made possible. If the prospective collaborator proves reliable, the parents would be either deported to a concentration camp or sent to another part of the country, which action enables the young couple to get married. The Russian concentration camps have been filled with people who have become victims of this sort of tyranny.

A definite effort is made to study the vices or passions of people so as to make them serve as collaborators. A man who is very fond of ladies is offered a pretty girl; a drinker has quantities of liquor made available to him; a gambler is given sufficient money so that he can spend it in that fashion, and the ambitious person who wants to get ahead is promised certain fulfillments if he will but give some of his services to the state. Students who are particularly desirous of continuing their education and who have the real talent for studying are particularly suited for this purpose. It is safe to say that there is not a single student at the universities in Russia who has not "rendered" services of some kind to the CSS in order to be granted permission to enter schools of higher learning. At the present time, in the Communist-dominated countries, almost 85 percent of the students have a scholarship of some kind which comes as a direct compensation for collaborating with the CSS. As outlined before, scholarships and admission to the Russian universities and colleges are only possible with the approval of the CSS, but not so for any person lacking interest in politics. In their role as collaborators, the students serve a double purpose; one, to always inform the CSS of the teachings of the professors as this affects the Communist apparatus, and, two, to inform on the Russian people, because, in a great many instances, while attending the university, students live in Russian homes and can report all conversations to the CSS. During 1952 some students who had refused to collaborate with the CSS in Russia were expelled from the university. Today only those young people who are "appreciated" by the CSS, and who collaborate with them, are able to attend these universities.

Where members of the family find themselves out of work or seriously ill or in debt, the CSS agent plays the role of the benefactor, promising all kinds of assistance in return for willingness to collaborate on "minor" matters. This, of course, has a tremendous appeal to the social strata whose living standards are lowest, such as is the case in the villages and mountain towns. As has been pointed out, once the collaborator gets involved, each assignment makes it more difficult for him to back out, until he is finally at the complete mercy of the CSS agents and cannot turn back.

Probably the most despicable and criminal system for the recruitment of collaborators is the one followed in recruiting children. They are unknowingly the innocent denunciators of their own family. Between these children and the CSS are the teachers, who represent, without any doubt, a vital link in supporting the CSS activities. No teacher is allowed to exercise his profession without a full and complete indoctrination into the principles of the Communist Party. In the classroom activities the children are asked to write essays and make reports on the opinions of their parents regarding the Communist Party, the Russian state, and their views on the high officials of the party—so that the unsuspecting child, in thinking he is merely writing his language composition, is actually reporting on the innermost conversation and thoughts of his family. In examining these compositions, the teachers can immediately pinpoint the people who are opposed to the state, the party, and/or important officials, which information is immediately brought to the attention of the proper party agent.

It is easy to understand why the CSS is always so well informed, when it has the help of collaborators who have been selected from various occupations and who dare not refuse to continue collaborating for fear of disgrace, being sent to prison or concentration camps, or being executed as betrayers of the state. This powerful network of collaborators enables the CSS to stamp out, forthwith, any action against the Communist Party and to stage popular demonstrations of agitation, such as riots and strikes, in the event the CSS feels it necessary to go to such lengths. Such demonstrations are usually staged at the headquarters, which gives the CSS the added opportunity of pinpointing those people who take part, or refuse to take part, in them. Direct orders for these activities come from the MWD in Moscow, and even the satellite authorities, under specific instructions from Moscow, do not undertake such staged events unless Miscow directs them to do so. The system is so designed that the spies of the CSS can keep the members of the innermost Communist councils, members of the central committee, and even the head of the Communist state, under surveillance, as well as every member of the party. This continuous spying often times produces "staged" results. For instance, if the CSS headquarters issues orders that in a certain city or village the enemies of the state must be made an example of, a campaign is launched against these class enemies and if none are available, the spies and collaborators will manufacture them from innocent people in order to keep themselves in good standing with the CSS headquarters.

The CSS has set up a scheme of operation in the event that communism is destroyed through an uprising of the people or in an adverse election. This scheme provides for setting up in Russia and all the satellite countries a group of known anti-Communists who are in reality collaborators to be used to keep the CSS in the background so that after the upsetting of a Communist regime, the CSS will still remain the hidden power. This is being accomplished by way of having the CSS collect a considerable amount of compromising evidence on collaborators, showing their close connection with the CSS, and then having these collaborators appear to be free in their criticism of communism and Communist officials. In this way the CSS is preparing its setup in the event a Communist regime is overthrown.

Should it become necessary for political reasons and/or because of revolts among the peoples, to modify the present regime in Russia or in the satellite countries, or because

of aggression by the capitalist countries, the CSS organization will still carry on because the chances are extremely good that the new leaders of a country will be collaborators of the CSS, who have the appearance of being independent because of their previous criticism of the Communist regime. With the new regime, the collaborators, in the guise of anti-Communists, will still be subservient to the inner circle of the CSS because the CSS has the factual evidence which can expose the new officials or rulers as nothing but former Communist spies.

The hold that the CSS has on a country it has once taken over is far greater than anyone realizes. This occurs because the agents, spies, and collaborators must continuously turn over to the CSS a list of all their acquaintances whom they know or suspect of being opposed to the Communist principles, and these people are always liquidated. As a net result, there are no leaders left in a country where revolutions may take place and upset the regime. Therefore, the collaborators and agents who have been assigned the task of posing as anti-Communists, and at times criticizing the Communist Party, are the natural people to head any new government. It follows then, that even if collaborators, through revolts or otherwise, are cut off from the control of the CSS, they still are under compulsion to carry out orders because of the danger that their past association with the Communist movement will be revealed to the citizens of the country.

In their interests of continuity for the future, the CSS has perfected an organization will be useful in the event communism is eliminated in a satellite country. These certain collaborators will be allowed the luxury of manifesting courage among the population in order to create for themselves the reputation of being against communism. In this way they would certainly obtain prominent positions in any new government organized against the Communist regime and will continue to serve as secret agents in the cause of communism. With all the accumulated past evidence maintained up to date on its collaborators, the CSS can readily dispose of anyone who refuses to cooperate with its corresponding branch in a rebellious country. This can be done by forcing other collaborators to yield documentary evidence showing that a particular collaborator was a former secret agent of the CSS or of the Communist Party. Upon the unmasking and the presentation of such evidence, the person desirous of extricating himself from CSS control is put in the precarious position of having all of his fellow citizens know that at one time he was a collaborator, certainly an untenable position with the new government.

The basic organization of the CSS exists in every Communist-controlled country. In Bulgaria, it is known as Derzavna Sigurnost; in Romania, Securiate Statului; in Czechoslovakia, Statni Bezpecnost; in Hungary, AVO, and in Russia, MWD. This is the basic system which provides for the broad outline of the invisible government behind the scenes. Within this organization is a special ruling group which we will not elaborate on at this time but which will be revealed in the future.

The entire membership of the CSS represents a priviledged super-party class in control of the government and of the Communist Party itself. It is hoped that the revelations contained in this document give some inkling of the power possessed by the members of the special ruling group in the CSS. It explains the absence of any organized underground group against the Communist system and should provide everyone with the key to the difficulties involved in doing away with the system once it takes hold in a country.

The CSS needs no special title or head for the system. The establishment or abolition of any organization that seems to appear to the public to be the special ruling group behind the CSS is but window-dressing, because this special ruling group controlling the CSS always operates behind the scenes in all Communist states.

This report should fully illustrate that in the Communist-controlled, as well as in the non-Communist countries, the Communist system consists of the front men and those who are the true special ruling group behind the scenes; that the system is one of the kingmaker and not one of the king; that being a member of the party, or a high functionary, or a head of the state, still does not mean that any of these people are members of the special ruling group of the CSS. Malenkov, Bulganin, Khrushchev, Gomulka, and Kadar are all front men, and the special ruling group controlling the CSS can easily remove any of them and substitute others. Many examples, past and present, can be cited to further prove this point. Indeed, purges in a Communist state mean nothing, even if entire groups of Communists are removed, because the power remains irrevocably in the hands of the special ruling group of the CSS.

The revelations of the inner operations of the CSS contained in this report show how the CSS, itself, can start anti-Communist riots, either for or against communism, anti-Stalinism, anti-Semitism and Democratic outcries, and how it can install or remove men like Malenkov, Molotov and Gomulka. It is so flexible that it can undertake any course of action to fool its enemies. These revelations also show the economic help for the "suffering people" of the Communist-controlled nations only serve to further support the special ruling group of the CSS. This report should prove that the present tendencies to make for an "evolution toward freedom and independence" within Communist countries, must be viewed most carefully because of the seeming invincibility of the CSS under present conditions.

This report should also prove that the real horrors and dangers in the philosophy of communism are due to the fact that the doctrine of communism is being upheld by the most immoral, abnormal, and criminal elements of the nation, who terrorize the citizens by keeping them in both spiritual and material concentration camps. It is a system which exploits the bad and weak characters of men and nations, a diabolical system which seeks to instill terror, apathy, and despair in the souls of white Christian men subjected to this system, and has, as its basic concept, the philosophy of the Asiatic mentality, a dedication to the progressive liquidation of the white Christian race. The system is designed to cause terror in the minds of men that any physical torture could ever cause and systematically uses fear as a means of controlling the individual, his friends, and his relatives so that eventually mankind would be led by the Communists with a carrot in one hand and a stick in the other.

This report should show to all men the basic differences between the CSS and the simple intelligence and secret-service systems of the non-Communist countries. It highlights the basic differences between the Communist system and others, such as nazism and fascism, showing that the latter two systems place the real power in the hands of the visible heads of the party, whereas the Communist system, places the real power in the invisible special ruling group operating behind the scenes.

The revelations herein contained should bring to light the fallacy of the Western journalists and writers who are leading us to believe that there could be an evolution in the satellite states toward a national communism by individual Communist nations. On this assumption the present soft policy of the Free World against Communist states is being built up, which is exactly what the Communists desire. There can be no evolution of this kind in the satellite states. Witness the recent flareup in Hungary when, through a natural revolution, the citizens came close to upsetting the CSS, and the armed forces of Russia stepped in to help the hard-core Communists overthrow the new government. Poland has been permitted a certain amount of freedom, including anti-Communist writings and speeches, but everyone knows that Poland is guardedly cautious not to overstep and cause the Russian troops to help the CSS destroy any real democrat or anti-Communist action.

The CSS knows that it can call on Russia and other satellite nations to help crush revolts in any of the satellite states because the CSS realizes that the free nations will never step in and help the anti-Communist forces within the satellite nations.

As long as the CSS is not attacked in Western radio programs, and in Western propaganda, the childish name-calling against the front men of Communist-dominated countries will just cause the special ruling group controlling the CSS to smile at the naivete of the Free World. The present radio programs of the Free World, especially Radio Free Europe, help to protect the real rulers of the Communist hierarchy by superficially attacking the front or known men in the system, while failing to reveal to the people of the Communist-controlled world, the real workings of the CSS. By failing to let the people of a Communist-dominated country know about the CSS, as it actually exists and operates, with secret agents and informers, collaborators, teachers, and university students, and by using a philosophy of appealing to the baser side of the nature of man, these Western radio operators and newspapermen fail to reveal the true nature of the Communist conspiracy. By concealing the truth about the system, its secret agents, informers, and collaborators who control each other; by not revealing the entire invisible government behind every facet of Communist life, and by failing to mention the existence of the real character of the CSS, they but blind the people behind the Iron Curtain to the real danger they face. There does not seem to be any basis for the thought of a possible evolution in the Communist-controlled states toward independence and democracy.

Although the information contained in this article is, and has been available to many governments outside the Iron Curtain, we know that Radio Free Europe, the press and the free governments have not attempted to divulge it to the Free World or to the people behind the Iron Curtain. From the knowledge we have of Communist agents already found within the free governments, there is a suspicion that a secret organization or invisible government is working within the free nations. In 1951, General MacArthur referred to this intelligence and warned us about it.

BASIC RECOGNITION

The basic premise on which the Free World must operate should be predicated on the realization that the Communist system is not that of the known visible Communist Party, but is the system of the invisible CSS which is practically unknown to the Free World. The present approach of the Western writers, newspapers, and radio commentators helps the invisible Communist apparatus by continuing to picture the Communist conspiracy as that of the known front protagonists of communism. A case in point of this unwitting Western help is that of Communist editor, John Gates, who spoke at Columbia University. In this instance, he was featured in the newspaper accounts, but the editors failed to give the American public the background knowledge that men like

Gates are merely puppets at the beck and call of the secret CSS.

IS THE COMMUNIST SECURITY SYSTEM INVINCIBLE?

In spite of the clandestine and seemingly invincible nature of the secret invisible government which has been set up under the Communist security system, the Free World, if it will but begin to expose and attack this system of invisible government and also attack the people who are upholding it in both the free and Iron Curtain countries, progress can be made in helping to destroy this system. If the people in the Free World will continue to point out to both the free and satellite countries the dangers of giving economic aid to the Communist states, and that the Free World believes only in full liberation and freedom, then, the people who are now the unwilling captives of the secret Communist conspiracy will begin to lose their fear, apathy, and subservience to the Communist security system. With this policy, which would take into account the true nature of the Communist system and its invisible and immoral forces, the people now held in bondage would begin to have hope, as well as the desire to destroy this barbaric system, without having to recourse to war.

The Communists throughout the world feel that the free peoples may become acquainted with their methods of degrading the nature of men and of destroying man's free will. Such knowledge will hasten the end of the secret Communist conspiracy—but only if the newspapers, radio stations, and free governments reveal and describe this secret conspiracy as it really is, and not keep the true facts hidden, as the Free World has been doing up to the present time.

REVIEW OF ATOMIC ENERGY PROGRAM, AND LATEST AUTHORIZATION BILL (H. R. 8996)

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, the Joint Committee on Atomic Energy will bring to the House for consideration in a few days the 1958 atomic energy authorization bill.

The bill will be controversial, as it was reported out favorably by an 11-to-7 lineup of the committee members.

The majority and minority report (H. Rept. 978) and the hearings are available to the Members.

Before I discuss some of the controversial items in the bill, I will review briefly the joint committee's record of stewardship in relation to leadership in the atomic program. It is a record of vision and direction, by persuasion, and advocacy of needed programs which time and events have proven to be courageous and, I believe, wise.

Congress set up the joint committee bypassing the McMahon Act in July 1946. We were to function as a watchdog committee over this new and important field. We were to be kept fully informed by the Atomic Energy Commission on all phases of the program, and to exercise legislative jurisdiction in the atomic energy field.

I hope the House will keep this fact in mind.

Most of the members of the joint committee have been on the committee for 8 or 10 years.

The present Commission's chairman, Mr. Strauss, has served a total of 7 years. Dr. Libby has been on the Commission about 3 years. Mr. Vance, the only other Commissioner, has been on the Commission 14 months.

The Congressional members, therefore, of the joint committee have by far the greatest individual and collective continuity of Government experience in the atomic energy field.

As the chairman of the Atomic Energy Commission recently suggested, the joint committee has acted as a board of directors.

Therefore, acting as a board of directors, your Congressional members have, time after time, decided that the Atomic Energy Commission, under both Democratic and Republican executives, was failing to initiate programs vital to the national welfare. We necessarily took the initiative in recommending and supporting expansion of weapons stockpile; building of the atomic submarine, *Nautilus*, and additional nuclear vessels; starting on the hydrogen bomb; starting a second weapons laboratory at Livermore, Calif.; building the Shippingport power reactor; building the great production plants at Portsmouth, Paducah, and Savannah River; the first 5-year reactor program; the building of an aircraft propelled by nuclear power; and many other programs of lesser magnitude.

During this time, our committee could only watch the program, and persuade the Atomic Energy Commission to embark on these efforts. We succeeded because our committee was on the job, meeting on the average of three times per week while Congress was in session. It was our vision that pointed out the goals for a great atomic program.

We had little real authorization power under the 1946 act. Under the 1954 act, however, Congress gave to the joint committee the power of authorization over construction of facilities.

On April 16, 1957, Mr. CANNON, chairman of the Appropriations Committee of the House, made an extensive speech on the floor in which he criticized the Atomic Energy Commission for not including many of their activities in the authorization budget, refusing to consider blank authorization for unauthorized projects.

On June 24, 1957, Congress passed H. R. 7992 and the President signed the bill on July 3, 1957.

Under that enlarged authorization, the joint committee has scrutinized carefully the reactor development program of the Commission. A majority of the committee found the Commission's program seriously deficient.

We have recommended a very modest program to accelerate the power reactor program.

We have added to the Commission's requested program $58 million for the following purposes:

First. We have authorized $3 million as the estimated cost of firming up engineering and design for a reactor to be built as soon as practicable, for the increase of our plutonium production. The majority of the committee has been convinced for some time that additional plutonium facilities will be necessary if we are to expand the small nuclear weapons program which will give us flexibility of choice in brush-fire war situations, relieving us of major dependence on large strategic nuclear weapons. Such a facility would also provide a hedge against the failure of present plutonium-producing reactors, some of which are 14 years old.

Second. We have also authorized $40 million for a natural uranium power reactor of medium size. All of our present reactors use enriched uranium fuel. It takes 10 percent of all the electric power generated in the United States to make our enriched uranium. The British, on the other hand are building their system of reactors for use at home and for export abroad on the basis of using natural uranium as a fuel.

If we are to compete in the world export market, many of our reactor experts feel that we must be in a position to sell reactors which offer a choice of either natural or enriched uranium as a fuel. The majority report offers more detail on this point.

Third. Our third authorization is for $15 million to start immediate designing and construction of a small pilot plant for the purpose of learning how to burn as a fuel the element plutonium, which is now exclusively a bomb material. This is a most important objective in the event that we reach the ceiling of desired weapon inventory or if an armistice should happily occur in the cold war.

In such an event, plutonium now being produced for weapons could be converted into peacetime reactor fuel in electric generating plants. The Atomic Energy Commission has partially recognized the desirability of this project and has already spent over $2 million in research and development for this purpose. The Hanford scientists who conducted this study have testified before the committee that they are ready to go to work on the plutonium recycle reactor.

The minority has attacked this program on the grounds of favoritism to particular contractors or scientific groups. Let us look at the facts.

From the very first days of the Atomic Energy Commission and the Manhattan Engineering District, the Government's production centers and laboratories have been operated by private groups. The magnitude of the work required that, in most instances, the work be done by large industrial companies since only they had the personnel for large undertakings of this type.

Union Carbide, DuPont, General Electric, Monsanto, Westinghouse, Western Electric, and the major universities operate important atomic sites for the Government. In fact, the list is a veritable blue book of American industry.

I have previously described how the Congress has taken the lead in advocating expansion in many atomic areas. On each occasion there was a resultant expansion in the scope of the work of the operating contractor. In every case, the criteria has been the need for expansion and the capability and availability of qualified groups, rather than the end contracting result. In fact, most of these contractors receive only modest

fees for operating the Government's laboratories.

In the present recommendation of the committee, there has arisen an allegation of favoritism toward the companies who operate the Government facilities which would be affected. This allegation is as untrue as if it had been made at any period in the past when expansion of any Federal atomic activity was suggested.

The large companies who operate the atomic laboratories for the Government are not free to purchase reactor components or any other item within their corporations' orbits. They must go out for competitive bids. The base of the United States atomic energy program has been built in this fashion with thousands of small suppliers acting as suppliers ot the Government centers.

It is anticipated that these reactors would be built at available Government facilities where available qualified scientific and engineering personnel are situated. The committee has no hesitation in exercising its collective majority judgment in this field after the personal visits to laboratories, the interviews with enthusiastic reactor experts, and the testimony received on these subjects during the hearings.

The minority criticizes the Westinghouse people—page 53, paragraph 6—for turning to the Congress. This criticism is unwarranted. At no time have the Westinghouse people volunteered their advice to the committee. Their advice, and testimony has been requested many times, as has been the case with other industrial groups, by the committee. It is to their credit that their answers to questions have been frank and responsive, without evasion or fear of retaliation.

Most of the minority report is given to a discussion of the Atomic Energy Commission's program of partnership arrangements with five electric cooperative groups. The minority report creates the bogey man of public versus private power which is not an issue in this legislation, unless the minority is opposed to the Atomic Energy Commission's own program of cooperation with publicly owned groups. If they are opposed to the Atomic Energy Commission program, they have the privilege, of course, to offer an amendment to strike out this part of the Atomic Energy Commission's program.

The majority of the joint committee want it clearly understood that they have not proposed to the Atomic Energy Commission in any way, the development of the present Atomic Energy Commission cooperative program, for which they have requested cash authorization of $129,915,000. This program is the Commission's program. The Atomic Energy Commission is responsible for it and they asked for every dollar of the above sum plus the right to waive fuel-use charges in the amount of $20 million, making a total of $149,915,000.

I repeat, every dollar of the $149,915,000 in section 111 of the bill has been asked for by the Atomic Energy Commission. The minority report labels this program—page 60 of the report—as "atomic power federalism and socialism." If this be true, then, my friends, it is the Atomic Energy Commission's program of atomic power federalism and socialism.

The joint committee did not increase the amount asked for by the Atomic Energy Commission for this cooperative program. As a matter of fact, we authorized $2,706,000 less than their final request—July 5 letter of R. W. Cook pages 653 and 654 of hearings, final request $132,621,000.

Now let us have the facts about the Atomic Energy Commission's program of assistance to the cooperatives and publicly owned electric power groups.

The Atomic Energy Commission asked for proposals for joint participation of non-Government power groups with the Atomic Energy Commission under three separate announcements, called "rounds."

Under the first round, negotiations developed between the Atomic Energy Commission and two private utility groups and one publicly owned group:

The Yankee Atomic Electric Co.—private utility group.

The Power Reactor Development Co.—private utility group.

The Consumers Public Power District of Nebraska—State chartered cooperative.

Under the second round, negotiations developed between the Atomic Energy Commission and four publicly owned utility groups. No private utility responded:

Chugash Electric Association of Alaska.

Rural Cooperative Power Association, Elk River, Minn.

Wolverine Electric Cooperative Association, Hersey, Mich.

City of Piqua, Ohio—municipally owned.

The third round is pending and responses have been received from two private utility groups:

The Florida Nuclear Power Group, Florida.

The Northern States Power Co., Minnesota.

The Atomic Energy Commission has asked for $30 million to be authorized in anticipation of need for third round respondents, announced and prospective. Although, as is the case in the second round, no firm contracts are at present in existence, the joint committee has nevertheless included in section 111 authorization of this $30 million item for possible use.

We therefore find the balance of the fund in section 111 amounts to $99,915,000. This amount is requested for assistance to the five cooperative and publicly owned power groups which responded in the first and second round invitation of Atomic Energy Commission.

The Atomic Energy Commission has been negotiating with these 5 cooperatives from 17 months to 27 months and for some reason no contract has been signed. There has been no satisfactory meeting of the minds.

The Atomic Energy Commission is not satisfied with the cooperative's proposals. The cooperatives are not satisfied with the Atomic Energy Commission's counter proposals.

No contracts have been signed—only talk, talk, talk, since January 1955.

In the meantime, the cooperatives have spent thousands of dollars from their meager funds. The rosy blush of atomic power romance is fading.

I doubt if the marriage will occur. It may well be the suitors are incompatible.

Now another fact—under the Atomic Energy Commission cooperative proposals, the Federal Government will own the five reactors. The Federal Government puts up the money for building the reactors. The Federal Government furnishes the atomic fuel free for 5 years. It processes the fuel free by subterfuge. The Federal Government proposes to subsidize the operation of the reactor for a maximum period of 5 years by subterfuge.

You, of course, want to know what I mean by "subterfuge." Well, here it is.

The Atomic Energy Commission proposes to pay the co-op for plutonium produced in the Government's own reactor from its own atomic fuel, which it must process in its own fuel-processing plants.

The AEC proposes to pay the co-ops for postconstruction scientific data or "unusual maintenance" during the postconstruction operating period, although it is entitled to such information on the basis of preoperation assistance—Mr. Diamond's testimony, pages 566–567.

That is what I mean by "subterfuge."

Why does the Atomic Energy Commission insist on this method of complicated negotiation?

The Atomic Energy Commission, in my opinion, finds its reactor program stalled on dead center. Private money has not come forth to develop a power reactor program adequate to the economic and international need.

The Atomic Energy Commission will not admit the above facts which are so abundantly clear to scientists, reactor experts, and many Members of Congress.

The Atomic Energy Commission must create the illusion of non-Federal private money participation in the power reactor development program to save face. This is very hard to do, because the expenditure of Federal funds must undergo Congressional scrutiny. Government dollars can be traced through second and third parties and their actual use disclosed. If their use is for subsidized operating purposes and not for research and development in the proper and legal sense, then they clearly violate section 169 of the Atomic Energy Act.

This is not the first time the Atomic Energy Commission has tried to use their administrative powers to confuse the Congress. This is not the first time the Atomic Energy Commission has used a complicated, circuitous contractual device to accomplish an ideological objective.

This is the same clever legal juggling that got the AEC into trouble on the 3-way Dixon-Yates-TVA-AEC type of contract. I warn the Atomic Energy Commission and I warn the cooperatives that they are on dangerous ground.

The Atomic Energy Commission had better face up to the statutory requirements and make an open, honest arrangement similar to the direct con-

tracts of AEC to Westinghouse and to Duquesne, Shippingport, Pa.; also, AEC to North American and to Southern California Edison Co., Santa Susana, Calif.

The authorization hearings have revealed this dangerous situation which rests on the Atomic Energy Commission's first and second round proposals and the negotiations to date with the respondents.

Remember, these negotiations are a result of the Atomic Energy Commission's reactor development program, and are not due to suggestions of the joint committee. The responsibility of the final arrangements rests on the Atomic Energy Commission.

The joint committee, by an 11 to 7 majority—almost 2 to 1—has indicated its approval of funds on the basis of an honest, open and direct contract method of cooperation between the Government and the co-ops as outlined in section 111 of the committee bill. If the minority strikes out the honest, open formula of direct Government funding of its own reactors and succeeds in reverting to the hidden-subsidy formula of the Commission, they will have to take the responsibility of imperiling the Atomic Energy Commission's reactor program.

The joint committee has not directed the AEC to proceed nor to cancel the co-op arrangements. The Atomic Energy Commission must make that decision—it is their responsibility.

But if it makes the decision to go ahead on a phony, circuitous contractual basis, using subterfuge to create the illusion of nongovernmental participation and using tricky and indirect contracts to cover actual subsidies prohibited by law, then I hope the appropriations committee will take a good look at the history of this problem.

The minority criticizes the majority for its refusal to authorize the Atomic Energy Commission's request for $4,206,000 to be used for research and assistance to the Power Reactor Development Co.—page 57. The majority report is adequate response to this criticism.

I might call the attention of the minority Members, however, to section 107 (1) on page 45 of the report. This item provides $29,100,000 for the construction of a fast breeder pilot facility, EBR–II. Also, there is an item of approximately $10 million in the operating budget for fast breeder research and development. Also, there is an item of $1,500,000 in section 111 of the pending bill to be used for fast breeder research and development.

The totals of the above items are $40,600,000 for the advancement of the fast breeder technology. All of the information obtained from the expenditure of these funds will be available to the Power Reactor Development Co. as it will be to industry generally. I refer the minority Members to Aesop's fable of the dog with bone in mouth who, while crossing over a stream, saw his reflection in the water below. The bone in the reflection looked so desirable that the dog opened his mouth to snap at the larger-looking bone. Alas. He dropped the real bone into the stream and departed hungry because of his greed.

Need I say more?

ATOMIC ENERGY AUTHORIZATION

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 30 minutes.

Mr. PRICE. Mr. Speaker, I would also like to say a few words concerning the Atomic Energy Commission authorization bill which will be up for consideration in the House shortly.

First, I would like to point out that the funds authorized for capital expenditures are substantially less than for last year. Last year, $319 million was authorized as against $268 million reported out by the Joint Committee.

Moreover the amounts added by the Joint Committee for atomic reactors are considerably less than requested by AEC for authorization from the Bureau of the Budget. The Joint Committee added a net amount of $58 million for reactors, whereas AEC originally requested $150 million of the Budget Bureau.

I should also like to point out that substantial funds and financial inducements for private power company reactors are authorized in this bill, with over $50 million in total program authorized. This was all that AEC asked for in 1958.

In reporting out this bill, the Joint Committee acted in line with its great tradition of leadership in the field of atomic energy. As you know, the Congress with no opposition from AEC or the administration enlarged the legislative review of the atomic power program by its recent amendment to section 261 of the Atomic Energy Act.

But the moment the Joint Committee voted in accordance with this congressional mandate, we began to hear cries and organized opposition declaring that the Joint Committee and Congress are going outside their appropriate role. I can only say that we have been hearing those cries in one way or another for 10 years, and in spite of them we have spurred on such great efforts as the H-bomb, the *Nautilus*, and the Shippingport project, our first and only prototype power reactor. I fervently hope and believe we will not stop our pioneering efforts at this crucial juncture.

The main point of contention here is, of course, the atomic-power program. Now, this program is carried on in three types of ways: First, by wholly privately financed projects as by Commonwealth Edison and Consolidated; second, by Government-owned and sponsored reactors for experimental or demonstration purposes, as at Argonne or Shippingport; and, third, by privately sponsored projects with some research and development assistance, as, for example, the Yankee project.

All of these reactors are being built for research and development purposes. All are admittedly uneconomic. All are costing more money and taking more time to build than originally estimated or predicted. It should not be surprising that the program is lagging and bogging down.

I believe the Congress should encourage all three of these types of development at this stage of the program. However, some of my colleagues on the other side, and the AEC, have a blind spot about admitting publicly that the Government must provide the leadership and funds to get the show on the road.

Now, in order for the first approach to work, there is great need for private insurance and Government indemnity for reactor hazards. The bill, H. R. 7383, which I introduced, provides a Government indemnity up to $500 million. It passed the House and awaits Senate action.

Now, I also believe that approach No. 2—of Government-sponsored reactor development—should also be followed. The joint committee has reported a modest program for the consideration of the House. This program consists of, first, the design of a plutonium reactor; second, the development and construction of a gas-cooled reactor prototype; and, third, the development and construction of a plutonium recycle experimental reactor. All these reactors would be built under contract with private firms with the power absorbed at AEC installations.

Finally, I believe that approach No. 3—that of private development with Government financial assistance should also be encouraged, and indeed augmented. However, it should be open and aboveboard. And where, as in the case of cooperatives, the Government puts up most of the money the development and construction of the reactor should be supervised directly by AEC. The Joint Committee has required this in the authorization bill.

Unfortunately, there has developed opposition to the Joint Committee's proposals on additional reactors and cooperative arrangements. Cries of favoritism and public power have been raised.

It would be unfortunate indeed if this opposition confused issues to the extent that the entire legislative program on atomic power were imperiled. We have only a short time to accomplish our constructive work, and any diversionary attempts could impede our efforts all along the line.

Now, as I see the picture, AEC is not opposed in principle to what the Joint Committee is sponsoring. It is apparently opposed to it because the Joint Committee is sponsoring it. I want to take as an example the arrangements with cooperatives, and ask you gentlemen what else could the Joint Committee do when the AEC has abdicated its leadership.

In our hearings, at which I happened to preside, we developed a great deal of information on how AEC has bogged down its negotiations with cooperatives and publicly owned organizations, taking from 16 months to 2¼ years and still no contracts. Testimony by the Rural Electrification Administration and AEC both indicated that substantial problems remain to be solved. Thus, for example, AEC has "closed end" arrangements with fixed amounts of funds to cover the cooperatives' increased costs of running a reactor. This puts a risk of financial loss on the cooperative if its expenses

exceed this allowance. In this connection, REA top officials gave the following testimony:

Question. In other words, would it be correct to paraphrase your policy and say you are willing to make the loans to the Association if they can make arrangements that the cost to them will be no more than the cost of operating a conventional plant?

Mr. EDMUNDS. That is right.

Question. And if the costs are higher than that, which everybody recognized they will be, they have to make arrangements for the AEC or the reactor manufacturer to pick up the difference?

Mr. MYNATT. That is right; yes, sir.

Chairman DURHAM. It does not take much of a loss to wipe out the capital structure, and that, of course, would not be endangered because you expect this loss to come from some other Government funds?

Mr. FOREMAN. We will answer the question this way: When the contract comes to the administrator for final approval, that is what we attempt to approve, a contract which will do exactly the thing that you mention.

How could AEC enter into a closed end contract in view of this REA policy? For this and other reasons outlined in the Joint Committee's report, the AEC Director of Reactor Development admitted that AEC right now has serious problems. On July 9, he stated as follows in response to a question:

We have been struggling to find some way to do this where we could leave with the cooperatives involved the maximum amount of their own direct participation to try to achieve as near a commercial situation as possible, recognizing that these small plants and in their initial operations, as first plants, were not going to be economic.

So what we have attempted to do, and it has been a very difficult struggle obviously, is to find some formula by which we could retain this participation and retain such value as we could from these people who had made proposals and had made the proposals to undertake the projects and work out a satisfactory arrangement.

Now, we would still like to see this done to the greatest extent possible, but I think we all agree that there certainly are some very serious problems in just exactly how to set these up. If there weren't, we would have gotten these contracts negotiated long ago.

It was in the above context that inquiry was made of the AEC chairman as to whether AEC approved the joint committee's proposal to require direct contracts between AEC and the equipment manufacturer for the reactor and direct contract between AEC and the Co-ops for operation of the plant on a more flexible basis:

Senator GORE. Mr. Chairman, I appreciate Dr. Davis' restatement of that which he has already told us. The subcommittee likewise has carefully considered and has undertaken to bring forward a program which would do what the chairman of the Commission has just stated the Commission would like to do, to find some way to go forward with the construction of demonstration reactors or prototype commercial reactors utilizing the public power agencies that have responded to round No. 2.

If the Commission gave its reaction, either support or opposition to what the subcommittee has not formally presented but which is now before you, I was on the telephone.

If you have not, I would love to know just your reaction. Maybe the Commission has not formally acted on this either, but if you have a position on it, I would like to know it and I am sure the other members of the subcommittee would.

Mr. STRAUSS. We have not acted on it, but our informal view which, in the absence of a quorum, is the best that we can give you is that we would rather go ahead with it on this basis than to drop these projects because we feel that these five projects are important to be explored in this manner.

Representative COLE. To clarify that, you would like to go ahead on this basis?

Mr. STRAUSS. On the basis provided in this draft.

Representative COLE. If this draft is not adopted, does that mean that the project will be abandoned?

Mr. STRAUSS. No; it means that we will be continuing to try to help these people find some method of financing. We have not yet ourselves talked to the REA. At least I have not. Whether there is some persuasion still left in us or not, I do not know. But Dr. Davis is not optimistic.

We had not asked for this assistance and, therefore, to that extent in this measure it is gratuitious, but I would hope that it would be adopted. I would like to see it adopted with respect to these plants.

I understand that AEC may not be in sympathy with the Joint Committee's provision which is identical to that commented on.

In any event, it should be clear that the majority on the Joint Committee were interested in advancing the reactor technology by providing for direct AEC supervision over the development and construction of the reactor, and in protecting cooperatives and publicly owned organizations against risk of loss in the development phase of operations. Only in this way can contracts be negotiated and approved, and work undertaken expeditiously.

In conclusion, allow me to endorse the recommendation made by the Joint Committee that after we get our modest authorization enacted we need to develop an overall realistic and balanced atomic power program which will utilize both private and Government initiative, funds, and leadership.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOFFMAN for 30 minutes on Thursday next.

Mr. BAILEY, on Wednesday for 20 minutes, and his special order for today was vacated.

Mr. PRICE, for 30 minutes today.

Mr. BYRD for 5 minutes on August 6.

Mr. HESELTON for 30 minutes on Wednesday and 30 Minutes on Friday.

Mrs. ROGERS of Massachusetts to vacate the special order allotted to her today and to address the House for 5 minutes tomorrow.

Mr. KEAN for 15 minutes on Wednesday, August 7.

Mr. COAD for 1 hour on Monday, August 12.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SCRIVNER and to include extraneous matter.

Mr. HUDDLESTON.

Mr. EDMONDSON and to include extraneous matter.

Mr. ALGER.

Mr. ROGERS of Florida (at the request of Mr. BAILEY) and include extraneous matter.

Mrs. CHURCH to revise and extend the remarks she made in the House today on the inclusion of policemen and firemen in social security and to include extraneous matter.

Mr. DIXON and to include extraneous matter.

Mr. BROYHILL and to include extraneous matter.

Mr. DAVIS of Georgia in two instances.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p. m.), the House adjourned until tomorrow, August 6, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1103. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Government Printing Office for the fiscal year ended June 30, 1956; to the Committee on Government Operations.

1104. A letter from the Administrator, Federal Civil Defense Administration, transmitting a report stating that no claims were paid by the Federal Civil Defense Administration during the fiscal year 1957, pursuant to the Federal Tort Claims Act of 1946, as amended; to the Committee on the Judiciary.

1105. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

1106. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order granting the application for permanent residence filed by King Fong Sheng, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1107. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of an order entered in the case of Tan Tat Geen, A-9097795, relative to rescission of adjustment of status granted this individual, pursuant to the Immigration and Nationality Act (8 U. S. C. 1256 (a)); to the Committee on the Judiciary.

1108. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 2, 1957, the following bill was reported on August 3, 1957:

Mr. COOPER: Committee on Ways and Means. H. R. 5938. A bill to amend section

812 (e) (1) (D) of the Internal Revenue Code of 1939 with respect to certain decedents who were adjudged incompetent before April 2, 1948; without amendment (Rept. No. 984). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted August 5, 1957*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KILDAY: Committee on Armed Services. H. R. 8704. A bill to prohibit the delivery of members of the armed services of the United States to the jurisdiction of any foreign nation; with amendment (Rept. No. 985). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H. R. 469. A bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes; with amendment (Rept. No. 986). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H. R. 8171. A bill to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.; without amendment (Rept. No. 987). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. Senate Joint Resolution 35. Joint resolution to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States; with amendment (Rept. No. 988). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 580. A bill to authorize the exchange of certain land in the State of Missouri; with amendment (Rept. No. 989). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 5497. A bill to amend the Watershed Protection and Flood Prevention Act; with amendment (Rept. No. 990). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 6765. A bill to provide for reports on the acreage planted to cotton, to repeal the prohibitions against cotton acreage reports based on farmers' planting intentions, and for other purposes; without amendment (Rept. No. 991). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 2580. A bill to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use; with amendment (Rept. No. 992). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6785. A bill to amend section 26, title I, chapter 1, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (48 U. S. C. 381); without amendment (Rept. No. 993). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 8508. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; with amendment (Rept. No. 994). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8646. A bill to amend the Alaska Public Works Act (63 Stat. 627; 48 U. S. C. 486, and the foollowing) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works; without amendment (Rept. No. 995). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7349. A bill to amend the act regulating the business of executing bonds for compensation in criminal cases in the District of Columbia; without amendment (Rept. No. 997). Referred to the House Calendar.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky, to the Commonwealth of Kentucky for public park purposes; without amendment (Rept. No. 998). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1394. A bill to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior; with amendment (Rept. No. 999). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. H. R. 4640. A bill to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts; with amendment (Rept. No. 1000). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 4683. A bill to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam; without amendment (Rept. No. 1001). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 5309. A bill to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division; with amendment (Rept. No. 1002). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7051. A bill to stimulate industrial development near Indian reservations; without amendment (Rept. No. 1003). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7568. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1953, to provide that service in grade of inspector and the grade of private in the Fire Department of the District of Columbia shall be deemed to be service in the same grade for the purpose of longevity increases; without amendment (Rept. No. 1004). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7863. A bill to amend the District of Columbia Alcoholic Beverage Control Act; without amendment (Rept. No. 1005). Referred to the Committee of the Whole House of the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8865. A bill relating to the administration of certain collected taxes; with amendment (Rept. No. 1006). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8887. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; without amendment (Rept. No. 1007). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8673. A bill to amend section 69 of the Hawaiian Organic Act; without amendment (Rept. No. 1008). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MULTER: Committee on the District of Columbia. H. R. 7825; a bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia; without amendment (Rept. No. 996). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H. R. 9115. A bill to prevent the unauthorized censorship by broadcasting, television, telephone, telegraph, and all similar companies or networks, of songs, tunes, words, lyrics, and other material and things; and providing certain procedure to be followed in such cases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CEDERBERG:

H. R. 9116. A bill to prohibit Government agencies to acquire or use the National Grange headquarters site without specific Congressional approval; to the Committee on Public Works.

By Mr. CHENOWETH:

H. R. 9117. A bill to amend title III of the Servicemen's and Veterans' Survivor Benefits Act to provide for payment of the death gratuity in certain cases involving deaths after June 27, 1950, and before January 1, 1957; to the Committee on Veterans' Affairs.

By Mr. HENDERSON:

H. R. 9118. A bill to prohibit Government agencies to acquire or use the National Grange headquarters site without specific Congressional approval; to the Committee on Public Works.

By Mr. HERLONG:

H. R. 9119. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income-tax reductions and for other purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H. R. 9120. A bill to amend the Legislative Reorganization Act of 1946 to provide a method for the appointment, housing, education, and supervision of pages in the service of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. BURNS of Hawaii:

H. R. 9121. A bill to provide for the construction of a geophysical institute in the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. GWINN:

H. R. 9122. A bill to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines; to the Committee on the Judiciary.

By Mr. SIKES:

H. J. Res. 434. Joint resolution to provide that the Secretary of the Interior shall take

no further action to carry out the agreement to exchange certain lands entered into between the Department of the Interior and certain owners of Mash's Island, Fla.; to the Committee on Interior and Insular Affairs.

By Mr. FRELINGHUYSEN:

H. Con. Res. 221. Concurrent resolution to authorize the President to proclaim the week beginning on the 3d day and ending on the 9th day of November 1957 as World Travel Week; to the Committee on the Judiciary.

By Mr. VURSELL:

H. Con. Res. 222. Concurrent resolution calling on all labor officials, the National Association of Manufacturers, the National Chamber of Commerce, the State chambers of commerce, and all businessmen of the Nation to cooperate in efforts to stop inflation and the constant rise in the cost of living; to the Committee on Banking and Currency.

By Mr. BOGGS:

H. Res. 384. Resolution to amend House Resolution 104 of the 85th Congress; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relating to the interest of the State of Wisconsin in the regulation of prices of natural gas; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AVERY:

H. R. 9123. A bill for the relief of Mrs. James S. Carpenter; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H. R. 9124. A bill to authorize the Secretary of the Interior to permit the Library Company of Philadelphia to occupy the building known as the Second Bank of the United States Building, Philadelphia, Pa.; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H. R. 9125. A bill for the relief of Riki Levi; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. R. 9126. A bill for the relief of Stefanos John Moschos; to the Committee on the Judiciary.

By Mr. JARMAN:

H. R. 9127. A bill for the relief of H. W. Cullers; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 9128. A bill for the relief of Fotini Thomas; to the Committee on the Judiciary.

H. R. 9129. A bill for the relief of Tonia Zanger; to the Committee on the Judiciary.

By Mr. ZELENKO:

H. R. 9130. A bill for the relief of Alberto Wong, Jr., and May Loh Wong; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

H. R. 8002

EXTENSION OF REMARKS
OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1957

Mr. ROGERS of Florida. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to point out that the Government Operations Committee of the House of Representatives has favorably reported H. R. 8002 without objection after a study of of 2 years. The Rules Committee has given a rule on this legislation which has been endorsed by President Eisenhower on six different occasions. Enactment of the measure has been recommended by the Comptroller General of the United States, the Secretary of the Treasury, the Bureau of the Budget, and the bipartisan Hoover Commission, which made this recommendation. Similar legislation, S. 434, cosponsored by 50 Members of the United States Senate, passed that body unanimously on June 5.

For the information of the House a fact sheet follows which sets forth the pertinent points of this legislation:

FACTS ABOUT H. R. 8002

Will provide a means for Congressional control over the annual rate of Government expenditures. Agencies will request appropriations each year in the amount required to pay for the goods and services estimated to be received during such year and for other authorized payments.

Will minimize carryover balances of appropriations given in one year and expended in later years. When an appropriation is made on the annual accrued expenditure basis, any unaccrued balance at the end of the budget year is automatically terminated.

Will require an annual review with positive action to be taken each year by the Congress on both existing and proposed programs. Under the present budgetary method, no further positive Congressional action is required on entire programs or portions of programs for which appropriations were granted in prior years but on which work is presently being performed.

Will provide authority to enter into contracts and orders, for work to be performed in future years, as necessary for orderly procurement. Such grants of contracting authority, however, are not appropriations of funds and must be financed during the future years in which the work will be performed.

Will minimize confusion over the size of each year's budget. Now we have two budgets—the obligation budget and the expenditures estimates. Congressional appropriations are presently geared to the obligation budget. Congressional appropriation action on the 1958 budget relates to agency obligation budgets totaling $73.3 billion and not to the $71.8 billion estimated expenditures. The 1958 estimated budget surplus is based on the $71.8 billion expenditures.

Provides that the annual accrued expenditure basis for stating appropriations be on a trial basis until July 1, 1961. Any problems encountered during this period which cannot be solved through administrative procedures can be considered for legislation when extension of the authority beyond July 1, 1961, is being considered.

Keep Your Guard Up!

EXTENSION OF REMARKS
OF

HON. ERRETT P. SCRIVNER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1957

Mr. SCRIVNER. Mr. Speaker, 40 years ago, on August 5, 1917, a day I shall never forget, 400,000 young American volunteers were mustered into the Federal service in the National Guard of the United States.

Our National Guard units, such as my division, the 35th, a Kansas-Missouri organization, helped win World War I. Again, when the call came in World War II, National Guard units performed gallantly and successfully just as they did more recently in Korea.

Although those 40 years have taken a heavy toll, dimmed the eyes, greyed the hair, and slowed the steps, those 40 years have not decreased, in any way, our justifiable pride in our National Guard service.

Mr. Speaker, the value of the National Guard as part and parcel of our national defense has been proven by its valiant service.

One motto which will continue to contribute to the safety and security of this great Republic is:

"Keep Your Guard Up."

Elton Layton

EXTENSION OF REMARKS
OF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1957

Mr. BROYHILL. Mr. Speaker, under leave to extend my remarks, I should like to pause and pay tribute to Mr. Elton Layton upon his resignation as clerk of the House Committee on Interstate and Foreign Commerce.

Congressman CARRIGG, of Pennsylvania, claims Mr. Layton as his No. 1 constituent. He comes from Matamoras, Pa., in Pike County; however, Mr. and Mrs. Layton now reside at 4730 Arlington Boulevard, Arlington, Va., and have lived in Arlington County for over 17 years. They have been my constituents since I was first elected to Congress from the newly created 10th Virginia District in the 83d Congress.

Mr. Layton has continuously been clerk of the House Interstate and Foreign Commerce Committee for over 36 years and is a member of the bar entitled to practice in the highest courts in Virginia, Maryland, and the District of Columbia and the United States Supreme Court.

I have had many occasions to consult with Mr. Layton and to observe his fine work. I am sure that he will be very much missed here on Capitol Hill.

Washington Report, August 3, 1957

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 5, 1957

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Washington Report of August 3, 1957, my weekly newsletter to constituents:

The temper of Congress as the normal adjournment time approaches is edgy, good-natured, or argumentative by turn, certainly unpredictable—not conducive to producing good legislation. The Senate (the "other body") is so far behind the House that a House recess is possible. House Members rightfully conclude that some or much of the House legislation may stay shelved until next year should the Senate elect not to match the House effort. And so it now stands. Some Members will even go home at a fixed date as they traditionally do. Meanwhile, there's much to be said for the country being better off if we passed less, not more, legislation.

The old dilemma facing a Congressman hit me squarely this week and through me each constituent of Dallas' Fifth District, whose tax money is involved. Should $32.2 million (or more) be spent for a questionable Texas project—"to construct the San Angelo Federal reclamation project for irrigation, for municipal and industrial water supply, for flood control, for the protection and enhancement of fish and wildlife and for recreation"? Arguments for: It is needed for flood control, drinking water, and the other stated purposes. Arguments against: It has not the degree of reclamation it claims to have, and $11 million is going into 10,000 acres (costs too much), also $14 million is not reimbursable to Uncle Sam. Besides various other specific criticisms, I concluded it was asking too much Federal aid and not enough State and local "do it yourself"—the old raid on the Federal grab bag. Having so ruled against the bill on its merits, which is solely a Congressman's responsibility, I was confronted by the dilemma. The project sponsor, who sincerely believes it necessary and worthwhile for his district, is an esteemed and admired fellow Texas colleague and after all, this is a Texas project, an opportunity to get back some of the money we send to Washington. Should I please my colleague and help get this project for Texas, regardless of my better judgment? Many voted for the bill because they liked the Congressman, even though they disapproved the project. For my part, having disapproved the project on its demerits over its merits, I opposed the bill. Speaker SAM RAYBURN succeeded in carrying the day by getting 12 Members to change their votes, and the bill passed 189 to 202. As one Member put it, "It being a rather tight vote, with the opposition having an apparent majority, I noted the Speaker going down on the floor talking earnestly to some of the members of his party, and then I observed 12 Members getting up and going down into the well and changing their votes on the motion to recommit from aye to nay—a change of 24 on the roll call, with the result that again Texas is in line for a Federal handout for $30 million, only one-half of which will ever be returned." Now the Speaker and all the bill's supporters must open the grab bag for everyone else if they would be consistent. Where now is Government economy and "cut the budget"? Well, that's how it's done in Washington. What would you have done in my place?

The Niagara power developing bill was the week's crowning blow to me. For the first time in history the Niagara Falls will be developed by public power instead of the private enterprise of the past. The debate brought out many arguments why it was necessary now to authorize the New York State Power Authority to do the job—all except the real one—namely, that the New York State authorities had determined that the State would take over this power development and that was that. In the testimony before the Public Works Committee this position was made very clear.

To my questions of why private enterprise couldn't do the job, the 1971 license-expiration was cited. Conveniently overlooked was the fact that the license could be renewed, and that New York State would oppose this renewal, and then when the private power companies admitted they couldn't go ahead without the license, the New York sponsors point out that they are unable to do the job and that New York State would and could develop this power.

Failing to get the answers and observing only 99 Members of the 435 present, I objected, and so temporarily stopped proceedings. However, the bill passed. I predict we will live to regret this further socialization of our Nation's power production facilities, and I condemn the manner in which the bill was railroaded through the committee hastily and solely by political pressure.

Mathematics: Did you know we will spend more dollars in foreign aid this year than there are seconds of time in a century? Or that to measure our $275 billion national debt at $1 per second, we must go back through all time from the year 6758 B. C. to today?

M. Sgt. John N. Edenfield Is Most Outstanding Airman in Air Proving Ground Command

EXTENSION OF REMARKS
OF
HON. GEORGE HUDDLESTON, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 5, 1957

Mr. HUDDLESTON. Mr. Speaker, it was my privilege and honor last week to officially greet M. Sgt. John N. Edenfield, who was in Washington as one of the Air Force's most outstanding enlisted men. A former resident of Birmingham, Ala., Sergeant Edenfield was selected outstanding airman in the 16,000-member Air Proving Ground Command.

He was 1 of 19 airmen, representing the Air Force's 950,000 enlisted men, who were special guests of the Air Force Association last week for the golden anniversary of this Nation's air arm. While in Washington for the week-long ceremonies, these airmen were rightly given "red carpet" treatment.

Sergeant Edenfield, a veteran of 18 years' service, began his military career in the Infantry and switched to aviation cadet training 2 years later. During World War II he completed 17 combat missions with the 41st Bombardment Group. Prior to his present assignment, Sergeant Edenfield performed duties as chief of entertainment with Headquarters Allied Air Forces Central Europe at Fontainebleau, France, and as recruiting noncommissioned officer in the Alabama Military District, Birmingham.

He served in Birmingham from 1947 until 1951, taking part in many civic activities in addition to his recruiting duties.

Now stationed at Eglin Air Force Base, Fla., Sergeant Edenfield has made an outstanding contribution to the internal information program in the Air Proving Ground Command, in addition to working on many special projects. He has been awarded the Air Medal and the Commendation Ribbon for his work.

It is entirely proper that Sergeant Edenfield, as well as the outstanding airmen from other commands, should be highly honored. By rewarding their many contributions to the service, the Air Force Association is fostering the personal incentive which has made our country great, and which undoubtedly will benefit our Air Force many times again.

Action on Lead-Zinc Crisis Imperative

EXTENSION OF REMARKS
OF
HON. HENRY ALDOUS DIXON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Monday, August 5, 1957

Mr. DIXON. Mr. Speaker, last week the House Ways and Means Committee conducted hearings on the Secretary of Interior's proposal to impose an import excise tax on lead and zinc. In conjunction with those hearings I appeared before the committee and offered testimony on the subject as did other members of this House, the Senate, and leaders of the industry.

The situation is critical and unless the Congress acts during this session I fear that what is left of our domestic lead-zinc industry will not be left when we reconvene. Of 21 lead-zinc mines in the State of Utah operating in 1947 there are only three major producers still operative. This is being repeated in all of the 27 States affected directly by the lead-zinc industry. I hope that we can act on this important legislation soon.

The following is the text of my statement last Thursday before the committee:

TESTIMONY OF REPRESENTATIVE H. A. DIXON, REPUBLICAN OF UTAH, BEFORE HOUSE WAYS AND MEANS COMMITTEE ON PROPOSAL SUBMITTED TO THE CONGRESS TO IMPOSE AN IMPORT EXCISE TAX ON LEAD AND ZINC AUGUST 1, 1957

Mr. Chairman and members of the committee, I am happy to appear in support of the proposal submitted to the Congress by Secretary of Interior Fred A. Seaton, to impose an import excise tax on lead and zinc, but to ask for such modification in the mechanics of the bill that will accomplish the original intent of the program; namely,

to prevent the price of lead and zinc from dropping below the peril points (17 cents per pound for lead and 14½ cents per pound for zinc).

The hearings before your committee are crucial because I believe that the future of this industry, so essential to our defense, will be in a great measure determined by the action of this committee.

There are five major points I should like to make. They are as follows:

1. Action should not be delayed until the next session of Congress because lead-zinc mines are closing so rapidly that there will be few left by the time Congress reconvenes.

2. The shutdown of our domestic lead-zinc mines will threaten national security, result in a shock to America's economy, a loss of taxes, and a loss of employment to hundreds of fine mining families.

3. Domestic mines cannot compete with foreign producers unless cost differentials are recognized in some protective measures.

4. The Government has the responsibility to protect our strategic mining industry.

5. The administration program is a big step in the right direction. First, our domestic mining companies are ceasing operations due to the disastrous effect of the drop in metals prices for lead and zinc. In my own State, Utah, the records of the State tax commission indicate that in 1947 there were a total of 21 mines producing lead-zinc ore. The latest figures available indicate that there are now only three major producers and possibly three or four minor operations still in production. In less than 10 years there have been approximately 14 lead-zinc producing mines cease operation in Utah alone. Two-thirds of Utah's producers have felt the squeeze to such an extent that they have ceased all operations.

Unfortunately this same story is being told in every other State which has mines. The latest issue of Management Digest (July 9, 1957, published by the Utah Mining Association) listed for shutdown before August 1, two mines in Washington, one in Colorado, two operations in New Mexico, one in Nevada, and one in Idaho. Curtailments were also ordered at one other Nevada mine and a 2,700 ton per month (30 percent) reduction was ordered in a Texas zinc smelter. These are all in addition to the literally dozens of domestic operations that have already closed and more are closing each month. It is encumbent upon us in Congress to take speedy action or be responsible for widespread economic disaster to the American mining industry.

These closed mines are not something that can be opened and shut like a water faucet. In some instances it takes a considerable expenditure to close a mine. In most instances it takes many times that to reopen it. After prolonged disuse many mine workings fill with water or become unsafe in numerous obvious ways. Then, too, those of you from mining States know that when you shut a mine down for a year or two the reorganization of a labor force is a major problem aggravated even more so by a mine that has been shut down previously.

My second point is that these mine closures have serious ramifications for our country in at least three major areas: defense, tax loss, and the plight of the miners and their families.

Charles E. Schwab, Chairman of the Emergency Lead-Zinc Committee estimates that the value of lead-zinc mines in the United States, including smelters and refineries, is about $1 billion and they contribute importantly to the economy of this entire Nation and more specifically, to the economy of the 27 States in which they are located. In Utah for example, our lead-zinc mines had an assessed valuation of nearly $11 million in 1949, but due to closures only $6½ in 1955. This decreased valuation meant a tax loss of $175,000 in local and State property taxes and in addition more than $350,000 in other taxes to the State and local governments. The tax loss if computed for the Federal Government, and the host of other indirect taxes would be staggering. These mines, while operating are helping pay their share in the American economy. This is not the case with foreign producers.

The defense values in having a healthy domestic industry which frees this Nation of reliance upon the whimsey of foreign producers seems obvious and I shall not dwell at great lengths upon it.

It appears also that a detailed world-portrait of the heartache and misery involved in each and every mine closure for the numerous families involved is unnecessary. In my Congressional District a historic mine that had been operating continuously in a rather remote area since 1909 announced that it was suspending operations last month. Announced on the financial page in a Salt Lake City newspaper, the story did little to mention the problems faced by the 70 Utah families quite tragically affected. Many of the miners were working in the same mines their fathers before them had labored in. That area is their home and mining is their business and now for the workers of Chief-Consolidated, there can be neither home nor business.

My third point is that we cannot expect to retain our domestic mining industry and have it compete against foreign producers without reasonable protection. In a speech I delivered on the House floor on June 14, I referred to the abundance of technical reports and statements from American mining engineers which show that a high grade miner in India is paid from 12 cents to 15 cents per hour for a 12-hour day. In other instances the pay ranges as little as 10 cents or 12 cents per day for inexperienced miners and women. In Korea a good day's pay is a cup of rice. In Bolivia miners are paid on a wage scale ranging from $1.00 to $1.50 per day and the average daily wage for mining in Mexico in 1956 was $1.68. Contrast this the recent report of the Tri-State Lead Producers Association which shows that the average hourly wage for an American miner, including fringe benefits is something like $2.09 per hour. One company which operates mines in both the United States and Mexico pays only 10 percent of the amount for labor costs in its Mexican operation which it must pay in the United States.

We cannot expect American mines and miners to uphold our own wage scales and standards of living and freely compete with foreign producers.

My fourth point is that the Government has a responsibility to protect our strategic domestic mining industry. I firmly contend that we cannot allow ourselves to become more dependent upon foreign sources of supply than we are now. Further, a paradoxical situation exists in the fact that during World War II and during the Korean war, when our Government desperately needed domestic lead-zinc production and when these domestic producers could have made substantial profits had the market sought its natural level, the Government imposed price ceilings on both metals. To be specific, during the Korean war, foreign producers in Mexico, Australia, Africa, and elsewhere were able to sell their products at around 23 cents per pound for lead and more than 30 cents per pound for zinc. In contrast, our Government stepped in and controlled domestic prices at 17½ cents to 19½ cents for zinc and 17 cents and 19 cents for lead. Aside from placing the American miner under strict price controls, he was not allowed even to export his tonnage to take advantage of the high world market price. By keeping America off the world market production in other countries was overstimulated and our industry now is the victim. Now the situation is reversed. These producers helped the Government and now they look to us for protection from foreign mines and miners that are putting them out of business. A continuation of the present trend will leave us at the mercy of the shifting winds of international politics. The lead-zinc industry is not asking us for a dole or a handout or a subsidy. They are asking for pure and simple protection from low-priced foreign metals.

Finally, today I would like to say that adoption of the administration program is a step in the right direction. The sliding scale it establishes will help stabilize domestic prices but this program should go further. The import taxes to be applied when prices for lead and zinc fall below the peril points of 17 cents for lead and 14½ cents for zinc should effectively serve to maintain domestic prices at about the peril point levels. I recommend the consideration by this committee of the import tax applications presented in the testimony of industry witnesses. It is my hope that this committee in view of the problem will develop a program which will take cognizance of the losses sustained by the industry in recent years and enact legislation enabling it to operate as a healthy member of our great American industrial team.

I am not a mining expert myself nor am I aware of the intricacies of tariffs or world economics, but I am aware of the damages being wrought in this industry throughout the mining States. By adding my voice to those who plead with you to evolve a fair solution, perhaps a contribution has been made.

We have confidence in your ability and your judgment. Thank you.

American Miners Facing Real Crisis

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1957

Mr. EDMONDSON. Mr. Speaker, on August 1 the Committee on Ways and Means began hearings on legislation of vital importance to American miners, particularly in the lead and zinc mining industry.

There is no doubt about the fact that this basic industry, so vital to our national security, is today facing a crisis in terms of a surging flood of uncontrolled foreign imports, with steadily declining price levels which make domestic mining operations impossible at our higher cost and wage levels.

One of the most persuasive arguments in favor of action by our Government to relieve this grave situation was given before the Ways and Means Committee by our colleague from the Seventh District in Missouri, the Honorable CHARLES H. BROWN.

Congressman BROWN'S clear and penetrating statement in support of a better break for our American metals producer and miner is all the more remarkable in view of the fact that the gentleman from Missouri is serving his first term in this body, and first came to grips with this problem only a few months ago.

America's miners have an eloquent new champion in the House, and CHARLES BROWN'S argument in their behalf is sure

to command attention in the committee and in this body:

STATEMENT BY REPRESENTATIVE CHARLES H. BROWN, SEVENTH DISTRICT, MISSOURI, BEFORE THE COMMITTEE ON WAYS AND MEANS, AUGUST 1, 1957.

Mr. Chairman, I want to thank you and the members of this distinguished committee for letting me join this discussion. We of southwest Missouri are a part of the Missouri-Oklahoma-Kansas tri-State mining area and are vitally interested in this problem. We've been living with it, day after day; and we submit that there's a matter of a moral obligation here, in addition to the economic considerations.

Suppose during the wartime automobile shortage, you just had to have a new car. You went to a good friend who worked around and got you one. Then, when automobiles got plentiful again, you got ready for another new car. And because somebody else offered you one for $50 less, you turned your back on your old friend.

Just 15 years ago during World War II, you didn't see many lead and zinc miners in Washington. Washington was out looking for miners, begging them to pump stagnant water out of any hole in the ground that even resembled a mine, pleading with them to get ore to the kilns. The Nation was fighting for its life; and with many foreign sources untouchable for the duration, it was up to American miners to produce.

It's a matter of history that they did produce. At controlled prices without profiteering. And the Nation was lavish in its gratitude.

Now there are certain raw materials that are more or less wartime products. You gear up to produce them while the fight's going on; and the minute it's over, you lock the door and shut them till the next emergency.

But now, lead and zinc aren't in that category. These metals have an important place in peacetime industry. And even during those brief years between the end of World War II and the Korean conflict, our United States mines did not produce as much lead and zinc as the United States used. We imported substantial quantities each year.

Each year imports increased. In 1952, when we started "laying in" strategic metals for defense against communism, imports reached a 161 percent ratio to domestic mine production and have continued to be the lion's share ever since.

Now, there have been some valid reasons for importing. It's just "playing it safe" to conserve your own raw materials in the ground and stockpile some foreign supplies when you're expecting war.

And there was the other selling point that importing a percentage of cheaper foreign ores meant cheaper prices for consumer goods. It looked like a happy combination.

But the longer this thing goes on, the unhappier this combination gets, because it's out of balance. Some lead and zinc imports may be good business, but too much is not good business, because the Nation then gets in the position of turning its back on its best friends—its own lead and zinc producers.

Torrential imports have driven the price of lead down to 14 cents and zinc to 10 cents. And while you might look on those prices as a bargain in the short run, I wonder how cheap it really is for the long run. Our United States miners can't produce it for that. And remember, when the chips are down, our own miners may be the only ones we'll have.

Aren't we, as consumers, or—more to the point—are not American manufacturers driving too hard a bargain here? Can't there be a better balance between domestic output and imports? Surely it is worth something to have a dependable source of supply.

That's all the lead and zinc industry wants. They're not asking us to build a high wall and lock out all lead and zinc imports. They're not asking us to protect them with a price that would guarantee a lead-pipe cinch profit to any and all comers who want to call themselves mining companies.

All they're asking is that the government help get a better balance in this import ratio picture—protection at a peril point level—so we don't kill off too many of these mining companies that we were praising so loudly just a few years back.

Now I think that's a fair request. The Nation—we consumers—have a moral obligation to stick by our own miners who stuck by us. And actually, we'll be surprised at just how little the consumer price increases will be, if they're legitimate. The big cost in merchandise today is at the manufacturing or processing level.

And don't forget, when you talk about consumers, people who produce raw materials are consumers, too. They haven't been the purchasers they should have been in recent years, because we're living in an era that I call the manufacturers age. Processors and fabricators sit at the head of the table and keep rooting out defenseless raw material producers and distributors. But miners buy consumer goods, too. If they can stay in business, they'll buy something from somebody else.

And one more thing, a better balance on imports of lead and zinc poses no real problem for those who look forward to the day when the nations of the world can trade together without trade barriers, or who have always supported reciprocal agreements, trade not aid, and other similar ideals.

The direct route to an objective—the shortest distance between two points—is not always the straight line. Sometimes, it is wise to veer aside a step or two to avoid an open manhole.

These are abnormal times. Maybe some people are tired of hearing about it; but there's still a worldwide Communist conspiracy afoot that hates the United States and everything it stands for.

Under those circumstances, it's just plain shortsighted to import too much lead and zinc into this country and place in jeopardy a part of our own mining industry.

One of these days, we may again need every American miner we can get and you can expand a going concern into high gear production much faster and more economically than you can start a new concern from scratch.

Mr. Chairman, I sincerely hope the Ways and Means Committee will report this legislation to the House. I know the President could do it now. I know there is ample authority on the books. But let's make sure it's done. Let's fix it so we'll be sure.

Surely, it is a reasonable request and one the Nation can honor in good conscience.

Constitutional Government and States Rights

EXTENSION OF REMARKS

OF

HON. JAMES C. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1957

Mr. DAVIS of Georgia. Mr. Speaker, my distinguished colleague, Hon. E. L. FORRESTER, was invited to address the Georgia Prison Wardens Association at its annual convention held on July 29 in Savannah, Ga.

Congressman FORRESTER spoke to the association on the subject of the civil-rights legislation which is now pending before Congress.

Congressman FORRESTER, a member of the House Judiciary Committee, was one of the leaders in the fight against this legislation. He explained and brought to the attention of the committee and the Congress the dangerous and pernicious provisions which had been cleverly and adroitly concealed in the drafting of the bill.

In his speech on July 29 Congressman FORRESTER ably and logically presented this vicious legislation in its true light, stripped of its camouflage.

This address deserves the thoughtful consideration of all who are interested in preserving constitutional government and States' rights, and I insert it herewith:

SPEECH OF E. L. (TIC) FORRESTER BEFORE THE GEORGIA PRISON WARDENS ASSOCIATION, JULY 29, 1957, SAVANNAH, GA.

Mr. President, Mr. Chairman, distinguished guests, my good friends, it is a high privilege to be permitted to speak to the county wardens of the various counties of Georgia.

For 13 years I was the solicitor of the city court of Leesburg, and for 14 years served as solicitor general of the southwestern judicial circuit. Over those pleasant years I had the fine privilege of knowing many of you intimately, and our associations have been pleasant indeed. I know how carefully you are selected and of your high standing in your communities. I know your patriotism, your love for law, order, and decency, and I know the fine influences you exert in every county in our great State. You, of course, know that with leadership there is an accompanying responsibility at all times, and coupled with that responsibility are the indispensable ingredients: honesty, courage, and truth. Never in my lifetime has real leadership been such a necessity. Never in that time has truth been more indispensable, and honesty and courage required. If I can possibly be of the slightest assistance to you in bringing you the truth concerning these evil days which threaten to completely engulf us, then I will deem it a rare pleasure indeed.

Your program chairman, Hon. Robert J. Carter, suggested that I discuss with you the civil-rights legislation now pending before Congress. I think his suggestion was exceedingly timely, and that I shall try to do. I know that proposed legislation. I know its background; I know its sponsors; I know its motives; I know what it will do.

I am a member of the House Committee on the Judiciary, the only member of that committee from our Georgia delegation. I have been since I entered Congress in January 1951. That is the committee that has handled this legislation. Seven years of service on that committee have afforded me opportunities for knowing this legislation, and I tell you that I do know it. Humbly, I know this legislation as well as Herbert Brownell knows it, and I know it far better than President Eisenhower knows or ever will know it. I tell you I know it, and I tell you that I realize that the responsibility is upon me to acquaint you and to acquaint every good American to the very best of my ability with the facts concerning this legislation which, if enacted by Congress, will for all intents and purposes be a complete invasion of the South, whether President Eisenhower or any future president ever avails himself of that law written during the reconstruction days providing that the President can send the Army, Navy, and militia into the States to enforce civil-rights legislation. I owe you the duty. I owe our State the duty. I owe our country and the

human race the duty to talk plainly to you, without any evasion or equivocation whatsoever, and to tell you the undiluted truth, letting the chips fall where they will, and that I propose to do. To the best of my ability, I propose to discharge my obligation to the good people that I represent, and to the country that I love, and to the future generations.

When I think of this proposed legislation, I cannot help but think of that unfortunate era immediately preceding the War Between the States and the era referred to by Bowers as "the tragic era," which was the Reconstruction Era. The War Between the States did not hastily come. Every historian knows that there were gallant men on both sides of that horrible conflict that tried their dead level best to solve the problems that threatened to engulf them into a gigantic war, and array brother against brother, and they pleaded for reason, justice, and a meeting of minds; but they pleaded in vain. That prevailing situation is so analogous to the situation today that it is utterly alarming to any well-thinking individual.

To the well-disposed, to those who desire no conflict, to those who realize that never has it been so necessary that we be united, this day is indeed a tragic era for America and the entire world. Additionally, it is utterly bewildering to those who love their country, and to those who realize that living in atomic age and when freedom, justice, constitutional government, Christianity, morality, and common decency have all become the common enemy of the atheistic and brutal communistic theory, good men simply cannot understand how reason, justice, and mercy can be ruthlessly cast aside with a shrug, and our good people be hopelessly divided, when just an ounce of common sense and common concern for the people of the four sections of this great country could bring peace, love, understanding, and unity. Yes, any historian must let his mind go back and review that fratricidal war, that reconstruction period, the civil-rights legislation, the force bills, the 40 acres and the mule provision enforced upon the prostrate South, when our lands were taken through confiscation and given away, and when our States' governments were made a shambles, and when Federal troops with Federal bayonets took charge of our schools, our election processes, and even the rights of the sovereign States.

When that historian's mind dwells upon those tragic circumstances I have just related, like the bursting of the morning sun, or the brilliant rainbow in the sky, that historian must find comfort in the fact that in just a few short years, when the graves had claimed the agitators and when hot blood had cooled and reason had had opportunity to assert itself, the Congress of the United States and the United States Supreme Court annulled the force acts, wiped out the 40 acres and the mule legislation, and voluntarily either annulled or held unconstitutional legislation which is now being sought to bring back to life, and that there were better and happier days for the people of this country. To the historian, to the man and woman of good will, there must be the high and firm resolve that they must do everything within their power and must invoke the blessing of Almighty God, in their determination to see that justice, constitutional government, Christianity, morality, and decency must be preserved.

Surely, surely one must ponder seriously and with great interest how after peace had prevailed for so many years, and how after 1875 not another piece of civil-rights legislation was enacted by Congress or spread upon the law books of this land, how this fury and flame has grown to such proportions, when we all thought that the good people of this country, the people who made this country, the people who have kept this country, and the people who will fight for this country with love, loyalty, and devotion, when the chips are down, were walking together with unity and love. That is the question that I am going to attempt to answer.

In the closing years of World War I, Russia fell because of internal dissension, and was taken over by a Communist regime. That regime came into power dripping with blood, with bloodshed a way of life, arrogantly denouncing God as a myth, having no patience whatever with Christianity, morality, common decency, and was veritably an anti-Christ regime, possessed of a most zealous desire for world domination, complete subjection of the human race, to destroy everything that was good, noble, and pure, to eradicate even the word "sin" and to bring every human being in this world to utter subjection. From their birth, world domination was and has remained their objective. From its commencement, it has been their plan to operate upon the word "tolerance" and through the preaching of tolerance, ensnare the agitator, good people, government leaders, church leaders, school leaders, labor leaders, and every worthwhile organization into their spurious preachments, although they were the most intolerant people that God Almightly ever permitted to live, and when they had gained their end, with only a few exceptions, those unsuspecting dupes would face firing squads, and their children would be confined to slavery, degradation, and shame that could not be visualized.

Nevertheless, representatives of that ungodly scheme came into America and immediately and through every possible means started their organization. It wormed its way into our body politic, into our finest and noblest institutions, and I say that without any fear whatsoever, although I say it with respect. I hope I shall offend no one, because I speak only the truth, but if I do, I do not retract one single word I have said, because the destiny of this Nation and the destiny of this world hangs in the balance, and good men and women who have been duped must realize that while there is yet time, or there is no hope for the human race.

I pause to observe here that good men and women do not insult easily and actually welcome truth and when they learn the truth, they accept the truth. To those who do not want to know the truth, and who bruise easily when the searchlight of truth is thrust upon them, they may be sure that I will not hesitate to condemn them and they may be sure that I will fight them every step of the way. After all, it is high time that some of our people are waking up. The hour is late, the destiny of this country hangs in the balance.

Through the twenties, the Communists were steadily building strength in this country, and in 1928, they had a candidate for the office of President of the United States. At that time they laid down their party platform. Following their pattern designed to divide our people, it devoted much space to the alleged "oppression of the Negroes". It declared war on the Ku Klux Klan while it was steadily creating, fostering, and edging into Communist and pinko organizations, all of which were advocating theories far more vicious than the Ku Klux Klan had ever dreamed of. Here is the platform of the Communist Party in 1928, relating to racial discrimination, quoted verbatim from the Daily Worker, May 26, 1928, to-wit:

1. Abolition of the whole system of race discrimination. Full racial equality.

2. Abolition of all laws which result in segregation of Negroes. Abolition of all Jim Crow laws. The law shall forbid all discrimination against Negroes in selling or renting houses.

3. Abolition of all laws which disenfranchise the Negroes on the ground of color.

4. Abolition of laws forbidding intermarriage of persons of different races.

5. Abolition of all laws and public administration measures which prohibit, or in practice prevent, Negro children or youth from attending general public schools or universities.

6. Full and equal admittance of Negroes to all railway station waiting rooms, restaurants, hotels, and theatres.

7. The War and Navy Departments of the United States Government should abolish all Jim Crow distinctions in the Army and Navy.

8. Immediate removal of all restrictions in all trade unions against the membership of Negro workers.

9. Equal opportunity for employment, wages, hours, and working conditions for Negro and white workers.

Now, I ask the do-gooders and the uninformed, and those that were duped, what do you think of those demands, made in 1928, when you realize that each and every one of those demands has been fulfilled by decisions of the United States Supreme Court, by executive decree, administrative orders, by the trade unions, and by some churches, with the sole exception of the abolition of laws forbidding intermarriage of persons of different races. I pause to tell you that laws forbidding intermarriage of persons of different races have been declared illegal by the United Nations Charter and the Universal Declaration of Human Rights, and that a case involving that principle is now before the United States Supreme Court, and I predict as a certainty that the Supreme Court will declare those laws illegal and void.

Some people, in Georgia at least, well remember the case of Angelo Herndon, reported in 178 Georgia Supreme Court, pages 832–869. This case arose during the early days when communism was not to any extent known as communism now is known or should be known. Anyway, Herndon, a Negro and a Communist, came into Fulton County advocating the violent overthrow of our country by force and the division of the Southern States into a territory to be known as the black belt. In his pamphlets, the area of the black belt was fully described, and according to those pamphlets, it was to be the property of the Negro race exclusively, and would not even be a part of the United States, unless the Negroes elected for it to be. The House Committee on Un-American Activities thoroughly documented this astounding fact and its records show that the Communists had planned and continue to plan to take over the South and to make of it a black belt. Herndon was convicted by a Fulton County jury, of the offense of an attempt to commit insurrection, and the Supreme Court of Georgia affirmed that conviction. The United States Supreme Court reversed that conviction, although admitting that the evidence showed a conspiracy to overthrow the Government, but held that the evidence failed to show that there was a "present" danger of violent overthrow of the Government. As a matter of grave concern, I point out that not even the United States Supreme Court was willing during that era to hold as it did a short time ago, in the case of *Nelson* v. *State of Pennsylvania*, that a State could not prosecute and convict for sedition or insurrection, and that it was the sole prerogative of the Federal Government under the preemption doctrine established by that Court. Had the United States Supreme Court affirmed the conviction of Herndon, doubtless communism would have been stopped in its tracks.

Instead of communism being stopped, instead of any effort being made to stop it, it was permitted to flourish, to bloom, to blossom, and to produce its deadly fruit.

Later, and unfortunately, the great Democratic Party, in which the South had a voice which must be heard, the two-thirds rule was abrogated, and since that time the doctrine of States rights was denounced in its platforms and the South and the southern viewpoint has been a matter of almost scorn in that party. That great party which had been the champion of States rights and which had battled the Republican Party for years over that issue, became thoroughly centralized, as the Republican Party had been centralized throughout the history of that party. And, from that time to this date, both of those major parties have been running a footrace to see which one can outpromise the other in service to minority groups and pressure groups, and at the expense of the South and at the expense of constitutional government and the sovereignty of the various States, the very life's blood of this nation. To the discredit of both of those parties, we have now arrived at the state where if you even protest, no matter how feebly, you are labeled "un-American" and the arch enemy of minority groups.

Now, in what was free America, you are not permitted to refer to a colored person as a Negro. Last year in a speech which I was making on the floor of the House of Representatives, I was chastised by another Congressman about the way I pronounced that word, and was told that it was N-e-e-g-r-o. It happens to be a fact that I have never had any trouble with a plain Negro in my life, and neither have you, but this world has had a lot of trouble which was aroused by the N-e-e-g-r-o, inspired by groups who have cases to make, and who are not now and never will be friends of the colored race. A few years ago, it was my great pleasure to assist that great American, Hon. Chester McMillan, Clearwater, Fla., in memorializing the Swanee River and to set up Florida's Stephen Foster Memorial. McMillan was the author of that legislation, and it came before my committee, and I led the fight in that committee for a favorable report, and helped steer it to passage. Now, in a matter of 3 or 4 years, it is my understanding that the radio and television networks say that they have been forced by minority pressure groups to refuse to permit any songs or any language such as darkies and Old Black Joe and that the word Negro is taboo.

It is my understanding that now it is considered an unpardonable sin for anyone to tell a joke in which any of the minority races are principals in that joke. According to the Amsterdam News, a Negro newspaper, 20th Century-Fox contends that they have made a picture that was really it, that Bill Marshall was starred with a pretty white girl and that it was it when it came to depicting Negro and white relations on the screen. Also, that MGM had a picture which was an adaptation from the TV play entitled A Man Is Ten Feet Tall. You of course know the picture Island in the Sun depicting the mixing of the races, and that according to a newspaper article, this picture has been banned in the Bahamas, on the ground that "it would not be in the public's interest for the film to be shown in the Bahamas." No wonder we read in the Columbus Enquirer, July 10, 1957, issue, page 3, an article from Tuskegee, Ala., quoting a Negro educator there as saying the boycott of white merchants "means something to us—it makes us 10 feet tall." Certainly we catch the significance of the phrase "10 feet tall" when we consider the picture that I have just described. No wonder we are advised that in the desegregated public schools in the city of Washington, D. C., there is a group referred to as junior mothers consisting of junior high-school girls under 16 years of age that are unwed mothers and during the last year 129 of these girls became pregnant, 119 of those being Negro girls, and that since desegregation, unwed high-school mothers had increased 1,000 percent.

No wonder, though it is utterly disgusting and revolting to us, that we find these do-gooders not only advocating but demanding that all of our public schools be desegregated, despite the fact that they know that the schools in the District of Columbia have been literally ruined. No wonder, though it is absolutely ghastly to contemplate, that these same groups are demanding desegregation in all phases of our public life.

No wonder that New York City, which is actually the capital city for these civil-rights boys, is having its troubles. The mayor and the city counsel of New York have been following the suggestion that many more schools be built to spur integration efforts, and to outlaw segregation in most of their apartment houses in New York. Of course, many people are leaving New York City, but actually they should have read the Communist booklet The Negroes in a Soviet America, pages 38–39, and they would have known what had been promised to the Negroes there.

Naturally, from what I have previously said, you can understand the clamor and the demands for wicked, iniquitous, and highly punitive legislation regarding so-called civil rights.

One of the most unfortunate decisions ever rendered by the United States Supreme Court was the case of *Missouri* v. *Holland*. There the Court ruled that treaties overruled and overrode the Constitution of the United States. For the past 25 or 30 years, the Democratic and the Republican Parties have been battling each other for the votes of the minority groups to such an extent that both parties have virtually forgotten the old-fashioned southerner and the old-fashioned Yankee, and those who made America great, and those who are expected to maintain America. We of course remember that President Truman kowtowed to these minority groups, appointing his Committee on Civil Rights. We further know that not one southerner was a member of that Commission. In 1947, that Committee said:

"It is true that the Federal Government does not possess broad, clearly defined delegated powers to protect civil rights which it may exercise at its discretion. A detailed examination of the constitutional aspects of the civil rights problem makes clear that very real difficulties lie in the way of Federal action in certain areas."

But, let us continue reading; they gleefully say:

"In its recent decision in *Missouri* v. *Holland* in 1920, the Supreme Court ruled that Congress may enact statutes that carry out treaty obligations, even where in the absence of a treaty, it has no other power to pass such a statute. This doctrine has an obvious importance as a possible basis for civil-rights legislation."

But, read on:

"The Human Rights Commission of the United Nations is at present working on a detailed international bill of rights designed to give more specific meaning to the general principle announced in Article 55 of the Charter. If this document is accepted by the United States as a member State, an even stronger basis for Congressional action under the treaty power may be established."

In 1949, Attorney General Tom Clark, now a Justice of the Supreme Court of the United States, made a statement before the House Committee on the Judiciary, advocating an omnibus bill encompassing civil rights legislation or proposals in every field the human mind could conceive of, and in that statement Mr. Clark made some amazing comments. Mr. Clark virtually admitted there were serious questions of constitutionality of his proposed legislation. But, he pointed out that upon proper Congressional findings, that his proposals could be made constitutional, under the treaty powers under the United Nations Charter. In fact, he said that his proposed legislation would "bring about a greater awareness of the obligations of this Nation as a member of the United Nations." At that time, Mr. Clark said that his department had aided the office of the Assistant Solicitor General in cooperating with State Department in connection with United States participation in the preparation by the United Nations of the Universal Declaration of Human Rights and of a proposed covenant to enforce some of these rights. How Mr. Clark ever got consent to propose legislation which was unconstitutional and which would need the United Nations Charter to override our Constitution and to assist in the preparation of the Universal Declaration of Human Rights, I can never understand, and I doubt that you can. It is high time, however, that the American public reads the United Nations Charter and the Universal Declaration of Human Rights. If you will read those two instruments, then you can understand the deplorable and completely erroneous decisions that have been rendered by the United States Supreme Court. Then and only then can you understand the famous school cases decisions of 1954. Only then can you understand decisions that passports must be issued to suspected communists. Only then can you understand how the Supreme Court held that California must admit a suspected Communist to the practice of law in that State. Only then can you understand how the United Nations is now spending taxpayers' money to develop the theory that all races are equal, that there are no biological differences, and that there is no justification for prohibiting marriage between persons of different races. Then you can understand how communism is treated only as a political idea.

As a member of the House Committee on the Judiciary, fighting civil-rights legislation every step of the way, I am thoroughly familiar with the proposals of the then Attorney General Tom Clark, and I tell you unreservedly and unequivocally that he recommended civil-rights legislation covering every field that Attorney General Brownell recommended in the 84th and 85th Congresses, and which is now pending in Congress. In other words, there is nothing new whatsoever in the Brownell version, and on the other hand, it is the same old garbage dressed up in different clothing and designed for the same purposes and for the benefit of the same people.

In the 84th Congress, so-called hearings were conducted. Those hearings were absolutely one sided, and only the proponents were heard. This was done over my vigorous protest, and over my demand that the opposition be permitted to be heard. Though it is shocking to you, I am going to tell you just who those groups were, and who those persons were that were permitted to testify, and upon whose testimony H. R. 627 was reported out of the 84th Congress. I submit the list in detail, to wit:

Chairman of the National Civil Rights Committee, Anti-Defamation League of B'nai B'rith, accompanied by the director, Anti-Defamation League of B'nai B'rith, Washington, D. C.; executive secretary of the NAACP, New York, accompanied by the director of the Washington bureau and counsel for the bureau; general counsel, American Jewish Congress; executive director, American Veterans Committee; secretary-treasurer, International Union of Electrical, Radio, and Machine Workers, CIO; codirector of the fair practices and antidiscrimination department, UAW–CIO, accompanied by national representative, UAW–CIO; legislative representative, Americans for Democratic Action; director, American Council on Human Rights; W. Astor Kirk, who said

he was appearing as a private witness, although a professor of government at Huston-Tillatson College, Austin, Tex.; Washington representative, Japanese-American Citizens League; statement of the National Community Relations Advisory Council, the statement reciting that it represented the combined and joint views of the constituent organizations as shown on pages 360–361 of hearings; also, statement by the National Lawyers Guild, National Council of Jewish Women, Inc., Women's International League for Peace and Freedom, and the American Civil Liberties Union.

With the exception of certain Congressmen who introduced civil-rights legislation and the testimony of Attorney General Brownell, those are the groups that caused Congress to rush pellmell into passage of that legislation in the House of Representatives last year.

The FBI did not testify, no State official in any of our 48 States testified, or were invited to testify. Apparently all the testimony that was wanted was the testimony from those minority groups.

The truth is, the Brownell civil-rights proposal, which is reflected in H. R. 1151, introduced by the gentleman from New York [Mr. KEATING] was simply an effort on the part of the administration and on the part of the Republican Party to take this legislation from the Democrats and to be able to say to the minority groups, "Look what we have done for you."

The Brownell version consists of four parts. Mr. Brownell contends that this proposed legislation was his own inspiration. It so happens, however, that the National Lawyers Guild, which guild, by the way, Attorney General Brownell is trying to have listed as subversive, by letters written to the chairman of Subcommittee No. 2, House Committee on the Judiciary, and to members of the House Committee on the Judiciary, on July 27, 1955, and April 23, 1956, proudly stated that they wrote or drafted the model civil-rights statute. As a member of Subcommittee No. 2 and a member of the House Committee on the Judiciary, I received those letters, and I have those letters in my possession, and they are available to anyone who desires to see them. The National Lawyers Guild, in a resolution passed at their 1956 convention, said that their proposed legislation on this subject was introduced in Congress, and identified it as H. R. 389. An examination of H. R. 389 shows that its provisions were strikingly similar to the legislation that Mr. Brownell says he wrote, and which he so proudly claims. How he receives any pride out of that proposal, I never will know, and will never understand. How any man, trained in the law to any appreciable extent, could ever suggest such legislation is beyond understanding.

Part I provided for a commission, to be appointed by the President, to investigate allegations that certain persons are being deprived of their right to vote, or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin; to study and collect information concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution; appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

We went to work on that provision in part I in the House Committee on the Judiciary. Bear in mind that not a single southerner was a member of the subcommittee considering this legislation this year. These do-gooders and pressure groups screamed to high heaven against Senator Eastland of Mississippi even being a member of the Judiciary Committee in the Senate. Those same do-gooders and minority groups saw nothing wrong, in fact thought it was exceedingly proper that not one southerner served on the subcommittee in the 85th Congress considering civil-rights legislation. That of course is their idea of tolerance.

There is utterly no excuse for this commission. If Mr. Brownell had had his way, that commission would investigate allegations made by irresponsible people, not under oath, not subject to any penalty whatever for lying and that commission would have caused confusion throughout this land. What unwarranted economic pressure means, no one knows, but I did know what the proponents had in mind that that phrase meant. It simply meant that anything that was done by an old-fashioned southerner or an old-fashioned Yankee, where a member of a minority group was involved, those actions would be subjected to the scrutiny of the commission, absolutely handpicked, having the services of the FBI to such an extent that searches for Communists seeking to overthrow our Government by force and violence would be left free to do their dirty work without interruption, and would have brought so much dissension that actually good and loyal Americans would have been afraid to do business with people of different races. It would have meant that any transaction that you had would be investigated to see if you had committed a wrong against a person of color, or a person of another religion, or a person of another national origin. I wonder if you see where this Government is drifting? Here, you see an Attorney General of the United States advocating things that are thoroughly unconstitutional, absolutely despicable to the American way of life, and you hear the President of the United States saying that this was model legislation, temperate legislation, "must" legislation, and that this particular legislation was the number one legislation in his program. I have repeatedly said, and proudly said on the floor of Congress, that the people that I have the honor and privilege of representing are freer of prejudice than any people in the 48 States. I endeavored to point out that there is absolutely no religious prejudice abounding in our great State. I have, and have had over the years, innumerable friends amongst all of the different races in our State, and amongst all of the religious groups. I have welcomed that friendship, I cherish that friendship, and I will never do anything whatever to merit the loss of that friendship, and I resent anyone else trying to do so.

The Constitution of the United States guarantees the free exercise of religion, and that guaranty carries with it the right to discriminate. Were that not so, there would be no basis for religious groups such as Catholic, Episcopal, Baptist, Methodist, Seventh-day Adventists, and so forth. That constitutional amendment was for the purpose of conferring upon each and every one of us the right to be different in our religious faith, so as to protect against the very tyrannies that churches in Europe had practiced upon our ancestors by requiring them to conform. The American Civil Liberties Union approves this proposed civil-rights legislation. But, they tipped their hand. They said: "Free censorship of books, magazines, and motion pictures is rapidly disappearing," but criticized boycotts where religious and other groups not only exercise their right to guard their membership from material believed objectionable, but also may keep other people from exercising their judgment. Also, "That the Roman Catholic Church was one of the religious groups that had moved in that direction." Your church, my church, or any other church, thank God, under the Constitution of the United States, has a right to criticize motion pictures, books, magazines, and material that they think are or should be, objectionable to their membership. Then too, thank God, under our Constitution, any member of any church has the right to disregard the admonitions of that church. Strange, isn't it, that an Attorney General and the President of the United States would be willing to make religion a matter of controversy. You wonder how that crept in? I think I can tell you how it happened. You had better read the United Nations Charter and the Declaration of Human Rights, and see what they have cooked up for you in that package.

I demanded, and the Georgia delegation demanded that we be permitted to bring up witnesses this year against this proposed legislation. I asked for and obtained the services of our attorney general and Hon. Charles Bloch. They appeared before the subcommittee this year, and they did a magnificent job. We were able to strike out the phrase "or being subjected to unwarranted economic pressures" by reason of their color, religion, etc., and restricted to such investigations to deprivation of the right to vote by reason of color, race, etc. That was a great victory, it was obtained by fighting, but all of those provisions should have been stricken out. These pressure groups immediately started their agitation, and the word "religion" was placed again in the legislation, but only so far as deprivation of the right to vote on account of religion was concerned. Those groups simply demanded the right, some way, somehow, to interfere in the field of religion. Today, this legislation stands so that this commission is going to be appointed, and they are going to go up and down this land investigating as to whether or not anyone has been discriminated against in his right to vote because of color, race, religion, or national origin. Additionally, however, they are going to study the economic, social, and legal developments constituting a denial of equal protection of the laws. Those words "economic, social, and legal developments" come from the United Nations Charter and the Universal Declaration of Human Rights. The idea of making a study of social developments should be utterly abhorrent to any decent individual, and that is as plain as I can make it. The Brownell version also provided that the commission would have the right to have voluntary and uncompensated personnel, which of course, and there can be no doubt of it, would be composed of persons from the leftwing organizations and the pressure groups advocating that legislation, and only for such purposes. Stacking the jury is wrong. Thank God, the Senate struck that particular provision.

Part II provides for an additional Assistant Attorney General. The trouble is, though, it did not tell how many assistants to the Assistant Attorney General would be required. We tried to get the Department of Justice to tell us, but they never would. Will Maslow, general counsel, American Jewish Congress, testified that it ought to have at least 50 lawyers in it. I think his estimate was conservative. That alone would cost a half million dollars a year from the taxpayers' pocket, for the purpose of destroying our Constitution and our freedom. The cost of this Commission we could not ascertain, although we tried, and although we asked the Department, and although we asked the authors. I can safely tell you, however, that this civil-rights legislation will cost the taxpayers at least two to three million dollars for the 2 years it is supposed to operate, and a million dollars a year for the assistants to the Assistant Attorney General. Then, of course, with all of these additional assistants, they will be screaming for additional Federal court judges, to a degree that you cannot imagine. You might be inter-

ested in knowing that the Department of Justice has over 1,700 lawyers now under its command and direction. Indeed, it is the largest law firm in all this world, and no defendant, no matter how rich, can possibly hope to obtain such representation, even if he has the money to pay for it.

Part III would amend section 1985 (42 U. S. C.) by adding two additional paragraphs. The effect of part III would be that in every imaginable conspiracy, the United States, at the taxpayers' expense, would throw the entire Justice Department against our school officials, our registrars, the judges, and prosecutors, sheriffs, peace officers, grand and petit jurors, and all public officials, free of cost to the alleged aggrieved, while the defendants would have such representation and assistance as their own pocketbooks would permit. How an Attorney General could ask for such power, I will never know. How the President of the United States could countenance such a suggestion, I am at a loss to understand. This is the iniquitous provision that Senator RUSSELL went down to the White House and discussed with President Eisenhower. This is the provision under which Senator RUSSELL told the President he would be endowed with the power to call out the Army, Navy, and militia, and invade our States. It was after that discussion, that the President winked and blinked and said that he had understood that this legislation was a voters' bill. That he so understood, I do not deny. I do say, however, that he owed to the people of the United States the duty to know what that bill contained, since he had said that it was a moderate bill, a "must" bill, and the No. 1 legislation in his administration's program.

I say he ought to have known. He ought to have known what he was doing, because when this bill was upon the floor of the House, I tell you honestly, that we had enough votes to adopt the jury trial amendment and to water down some of these pernicious proposals and we lost those votes because the White House had Congressmen called out and told the supposed political facts of life.

There is no doubt about it, an attempt was made to sell this legislation on the theory that it only pertained to voting. That was said on the floor of the House, and in my speech against this legislation on June 10, I said: "Do you think that just applies to voting? If you do, you believe in fairies. Parts III and IV are so broad that they cover every civil right, every last one of them. It gives them the right to go into all these school cases. Mr. Brownell admitted it. You will find it in the record. Yes, you are touching every facet of your national life. Now, listen: elections; do you think it refers only to Congressional elections? It refers to all primaries; it refers to every election, State, county, municipal, township, school district; it applies to the election of a justice of the peace. Does anyone want to challenge that? I say it does. I am telling you, if you pass this bill, you will have rung the death knell of your State and your county election laws. Do not kid yourselves."

Never has anything more vicious been proposed than part III of the Brownell legislation. I am a temperate man, I am a patient man, but I cannot begin to express my deep sorrow over the fact that a national administration and the two major political parties endorsed and were willing to place that crown of thorns upon my people. I told them on the floor that I knew who that gun was aimed at, and that I resented it with every ounce of my soul. Part III was designed to make the life of my people miserable. Actually, the southern people are the only people in all this world that such legislation would have been suggested against. Thank God, the United States Senate struck section 121 from part III, which would have given the Attorney General the dictatorial power to hunt our people like partridges, and the power to utterly destroy State government in our land.

Part IV substantially provides, "Whenever any person has engaged in or is about to engage in any act depriving any person of the right of any privilege secured by subsection (a) or (b), the Attorney General, in the name of the United States, for the benefit of the real party, may institute a civil action or other proceeding for preventive relief, including permanent or temporary injunction, restraining order, or other order;" and that the district court shall exercise jurisdiction without regard to whether the party aggrieved has exhausted any administrative or other remedies provided by law.

Make no mistake, the Federal courts would be required to entertain suits arising by virtue of any kind of election—general, special, or primary—for the purpose of selecting candidates down to the lowest local level, including trustees of schools, county surveyor, and so forth. Further, under the ruling in the Cloverleaf Butter case and the Steve Nelson case, dealing with preemption of the field by the Federal Government, and in view of the ruling in *U. S.* v. *Classic*, part IV will destroy our electoral processes. It is actually unconstitutional, but of course I would not be fool enough to say that the United States Supreme Court would so hold. Actually, a person has the right to go to court, or to stay out of court, and under no constitutional provision can the great Brownell or any other Attorney General take that person into court because of a violation of some private right of that individual, not criminal in nature, without the consent of that individual. I am certain, however, that the United States Supreme Court can sidestep that salutary principle. One of the purposes for this proposed part IV, although they would not admit it, is to apply the ruling in *U. S.* v. *Classic* to the effect that the right to vote for Representatives in Congress is a right derived from the States only in the sense that the States are authorized by the Constitution to legislate on the subject, as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its power to regulate elections under section 4, and its more general power under article I, section 8, clause 18, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

Yes, it is for the purpose of applying section 4 and article I, section 8, clause 18, as construed by the United States Supreme Court in that case.

Under the powers provided in part IV, the Federal courts would have the right to grant ex parte injunctions upon the petition of an all-powerful government, with such an extensive staff that they could grind out overnight thousands of affidavits, perjurous or not, and the judge then having established manmade law, whether right or wrong, could punish the defendant for contempt and sentence him to prison, the judge being the legislator, prosecuting attorney, judge, and executioner. In other words, deliberately the Attorney General wants to deny the defendants the right of trial by jury in criminal contempt cases. When he inserted the language "in the name of the United States" into that power to institute proceedings, he deliberately, designedly, and dictatorially asked for the right to destroy the right of trial by jury. He says that southern juries might not convict. To that, thank God, I agree. After all, there are some innocent defendants. I like the jury system, and I am afraid of an experienced lawyer that does not like the jury system. The present law kills the right of trial by jury in criminal contempt proceedings.

It happens to be the law, and has been the law since 1932, that in labor disputes, the right of trial by jury is provided for in all classes of contempt, even where the United States is a party. For some reason Mr. Brownell has not tried to change those laws. Consequently, it is crystal clear that he wants the denial of the right of trial by jury to apply only to the South.

The Senate is presently considering an amendment providing for the right of trial by jury in criminal contempt cases. Thus, so far as they are concerned, demonstrating that perhaps they are not willing to go along with the Attorney General in his theory that southern juries cannot be trusted. Irrespective, however, of the right of trial by jury, this provision permitted the Attorney General, in the name of the United States, to interfere with the electoral processes in the various States, proving that the Republicans never learned anything from history. Let me hasten to say that a lot of the northern and eastern Democrats also refuse to let history make any impression upon them.

This same method was tried in the Reconstruction Era, and it did not work. Federal troops armed with guns and bayonets stood at the polls in all of the election precincts in the South, preventing loyal citizens from voting, and subjecting loyal citizens to cruel indignities and suffering. This method played into the hands of the crooked and corrupt, because the crooked and corrupt were the only ones who would do business with such people. Should the Attorney General ever possess the power to exercise the provisions in part IV hereof, then State government is no more.

So, my friends, I stand before you today, telling you that we are facing our most serious hour. I denounce any violence, for I am a law-abiding man. On the other hand, I tell you it is our duty to God and man to do everything in our power to prevent the destruction of our way of life and our Government. If we ever lose this Government, we will never have another. The chips are down and we must have what it takes, unless we are willing for future generations to brand us as the weakest generation heretofore endowed with responsibilities of a public nature. We must assert ourselves in a lawful manner, and that I intend to do. Whatever is necessary in a legal way, that we shall do. We have permitted some in the Democratic Party to believe that they can with impunity deal with us as they have never dealt with the Japanese or with the Communist. The Republicans have made it a life-long habit to grind us into the dust.

No matter what the Senate does, and I take my hat off to the great leaders of the South in that body, there must be a conference held beween conferees from the House and the Senate. I am informed that the chairman of the House Committee on the Judiciary, a Democrat, and the leading minority member of that committee, a Republican, say they do not intend to budge one inch from the bill passed by the House. Whether that is true, I do not know. If it is true, it must be premised on the belief that next year being an election year, it will be easier to make the South a whipping boy again. The truth is none of this legislation should be passed. It is your duty and mine to fight it every step of the way. So far as I am concerned, I am against anybody who is for it, no matter to what political party he belongs, what church he belongs, or to anything else to which he belongs. I have fought this iniquitous legislation for 3 long years, and I will fight it as long as life remains in my body. This is the time when we must separate the men from the boys, and the hour is late, but I promise you that the Georgia delegation will stand firm for God, for country, and our way of life, and count it a privilege to do so.